

**CITY OF SAN ANTONIO**  
**Zoning Commission Agenda**

Cliff Morton Development and Business Services Center  
1901 S. Alamo Street  
First Floor

**November 18, 2008**  
**Tuesday, 12:15 PM**

**ZONING COMMISSIONERS**

Michael Westheimer – District 1	Christopher Martinez – District 6
Barbara Hawkins – District 2	Ramiro Valadez, III – District 8
Don Gadberry – District 3	Susan Wright – District 9
Jim Myers – District 4	Milton R. McFarland – District 10
Joe Valadez – District 5	James Gray – District Mayor
Jody Sherrill – District 7	
Chairman	

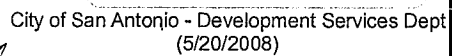
1. **12:15 PM - Work Session discussion of UDC amendments, policies and procedures plus briefing by Staff regarding zoning case recommendations and all other items for consideration on the agenda for November 18, 2008, in the Tobin Room, 1901 South Alamo Street, Cliff Morton Development and Business Services Center.**
2. 1:00 P. M. – Call to Order – Board Room
3. Roll Call.
4. Pledge of Allegiance.
5. Approval of November 4, 2008 Minutes.
6. Election of Officers.
7. **ZONING CASE NUMBER Z2008147 ERZD:** A request for a change in zoning from “R-6 CD ERZD” Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to “O-1 ERZD” Office Edwards Recharge Zone District (1.6350 acres) and “O-2 ERZD” Office Edwards Recharge Zone District (11.9523 acres) on 13.5873 acres out of NCB 17627 and NCB 18598, 4150 DeZavala Road. (Council District 8)
8. **ZONING CASE NUMBER Z2008213 S ERZD:** A request for a change in zoning from “C-2 ERZD” Commercial Edwards Recharge Zone District to “C-2 S ERZD” Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a Wireless Communication System on 0.0367 acres out of CB 5014, 15943 Bulverde Road. (Council District 10)
9. **ZONING CASE NUMBER Z2009004 ERZD:** A request for a change in zoning from “C-2 ERZD” Commercial Edwards Recharge Zone District to “C-3 ERZD” General Commercial Edwards Recharge Zone District on Being a 0.195 of an acre out of Lot 60, Block 2, NCB 17608, 19141 Stone Oak Parkway, Suite 108. (Council District 9)

10. **ZONING CASE NUMBER Z2008180:** A request for a change in zoning from "C-3" General Commercial District to "MF-33" Multi-Family District on a 12.114 acre tract of land out of Lot 5, Block 1, NCB 14858, approximately 302.47 feet north of Presidio Parkway and 416.15 feet west of Vance Jackson Road. (Council District 8)
11. **ZONING CASE NUMBER Z2008211:** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on 0.203 acres out of NCB 441, 630 Broadway. (Council District 1)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2008212:** A request for a change in zoning from "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2 on Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446, 702 Broadway. (Council District 1)
  - A. Finding of consistency with Master Plan.
  - B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2008253:** A request for a change in zoning from "R-6" Residential Single-Family District to "MF-33" Multi Family District on 4.271 acres out of NCB 14862 and 6.142 acres out of NCB 17204, 6301 Melissa Ann. (Council District 8)
14. **ZONING CASE NUMBER Z2008275 S:** A request for a change in zoning from "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867, 498 Pop Gunn Drive. (Council District 2)
15. **ZONING CASE NUMBER Z2008282:** A request for a change in zoning from "R-4" Residential Single-Family District to "C-2P" Commercial Pedestrian District on Lot 17, Block 3, NCB 9764, 802 La Manda Boulevard. (Council District 1)
16. **ZONING CASE NUMBER Z2009005:** A request for a change in zoning from "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District on Lots 20, 21, 22, and 23, Block 35, NCB 1827, 1002 West Magnolia. (Council District 1)
17. **ZONING CASE NUMBER Z2009002:** A request for a change in zoning from "C-2" Commercial District to "R-5" Residential Single Family District on Lot 40, Block 3, NCB 13945, 1535 South Callaghan Road. (Council District 6)
18. **ZONING CASE NUMBER Z2009003:** A request for a change in zoning from "C-1 NCD-3" Light Commercial, Ingram Hills Neighborhood Conservation District to "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District on Lots 274, 275, 281 and 282, Block E, NCB 11551, save and except the part of said lots conveyed to the City of San Antonio in Volume 10700, Page 313, Real Property Records, Bexar County, Texas, 4530 Callaghan Road and 5922 Silvercrest Drive. (Council District 7)
19. **ZONING CASE NUMBER Z2009007:** A request for a change in zoning from "H HS RM-4" Historic Significant Residential Mixed King William Historic District to "H HS R-6" Historic Significant Residential Single-Family King William Historic District on Lots 17 and 18, Block 5, NCB 746, 432 and 434 King William. (Council District 1)

20. **ZONING CASE NUMBER Z2009009 S:** A request for a change in zoning from "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District to "C-2 NCD-3 S" Commercial Ingram Hills Neighborhood Conservation District with a Specific Use Authorization for a Wireless Communication System on being a 0.0275 acre tract of land out of Lot 28, Block 2, NCB 14144, 2814 Majestic Drive. (Council District 7)
21. Public hearing, consideration and recommendation of a proposed amendment to the Unified Development Code (UDC) that would create a zoning overlay district for outdoor lighting surrounding military camps/bases/installations.
23. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
24. **ADJOURNMENT**

**Accessibility Statement**

This meeting is wheelchair accessible. Accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located at the front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



# CASE NO: Z2008147 ERZD

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Zoning Commission continuance (Applicant Request)  
from 8/19/08, 9/2/08, 9/16/08, 10/02/08, 10/21/08 and  
November 04, 2008

**Council District:** 8

**Ferguson Map:** 515 B7

**Applicant Name:**

**Owner Name:**

Brown & Ortiz, P. C., Attorneys at Law

Rogers Shavano Ranch, Ltd.

**Zoning Request:** From "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres).

**Property Location:** 13.5873 acres out of NCB 17627 and NCB 18598

4150 DeZavala Road

On the south side of De Zavala Road, approximately 1250 feet east of Lockhill-Selma Road

**Proposal:** To allow office development

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Level 1 Traffic Impact Analysis will be required at platting or permitting.

### Staff Recommendation:

Approval.

The subject property, located on the south side of De Zavala Road, east of Lockhill-Selma Road, consists of approximately 13.59 acres of undeveloped land. The property was annexed into the city in December 1987 per ordinance 66021. Upon annexation, portions of the subject property were zoned "B-2 ERZD" and "B-3 ERZD" Business Edwards Recharge Zone Districts. In 1994, part of the property was rezoned to "P-1 R-1 ERZD", Planned Unit Development Single Family Residence Edwards Recharge Zone District, per ordinance 80947; which converted to "PUD R-6 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District following the adoption of the 2001 Unified Development Code. The current zoning, "R-6 ERZD" (CD-Private High School) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School, was created in a 2003 zoning case, per ordinance 98081. Properties to the east are zoned "C-3" General Commercial District, and are currently undeveloped. Directly to the south of the subject property is an electrical substation which is zoned "C-2" Commercial District; with more commercially zoned undeveloped property farther south. Single-family residential developments exist on the other two sides of the subject property: "R-4" Residential Single-Family District to the west; with "R-6" Residential Single-Family District and "PUD R-6" Planned Unit Development to the north. There is also a church to the north of the subject property, across De Zavala Road. All of the surrounding properties are within the Edwards Recharge Zone Overlay District. The City's Major Thoroughfare Plan identifies both De Zavala and Lockhill-Selma Roads as Secondary Arterial "Type A" streets.

The applicant requests "O-2" Office District on 11.95 acres; with a 1.63-acre, 65-foot wide buffer of "O-1" Office District where the subject property abuts residential zoning to the west (as is required by the UDC). Staff finds the request to be an appropriate transition between the intense commercial zoning to the west and the low-density residential zoning to the east. "O-2" zoning districts are most appropriately located along

# **CASE NO: Z2008147 ERZD**

## **Final Staff Recommendation - Zoning Commission**

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arterial thoroughfares within regional commercial nodes, such as the intersection of De Zavala and Lockhill - Selma Roads. Staff finds the region to be suitable for increased office and light retail development because of its location on the periphery of numerous established residential developments.

Staff is concerned with the unlimited height allowed in "O-2" districts. Although "C-2" Commercial District would allow similar office development with limited building height, "C-2" allows a wider range of uses without the stringent buffer requirements provided by "O-2". This location would be better suited to the limited range of uses with unlimited height in "O-2", instead of the more strict building standards and broader array of uses allowed in "C-2".

### **SAWS Summary:**

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 1 property.
3. SAWS recommends a maximum impervious cover of 50% on the site.

**CASE MANAGER :** Micah Diaz 207-5876

Z2008147

DEVELOPMENT SERVICES  
RECEIVED

SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet

2008 JUL 30 AM 10:36

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Gregory D. James, Supervisor, Aquifer Protection & Evaluation, Michael A. Escalante, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2008147 (De Zavala Commercial Development)

**Date:** July 30, 2008

### SUMMARY

A request for a change in zoning has been made for an approximate 13.58-acre tract located on the city's northwest side. A change in zoning from **R-6 C ERZD** to **O-1 ERZD (1.63 acres)** and **O-2 ERZD (11.95 acres)** is being requested by the applicant, Brown & Ortiz, P.C. Attorneys at Law, by Ken W. Brown. The change in zoning has been requested to allow for the development of an office complex. The property is classified as a Category 1.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

### LOCATION

The subject property is located in City Council District 8, at 4150 De Zavala Rd. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

### SITE EVALUATION

#### 1. Development Description:

The proposed change is from **R-6 C ERZD** to **O-1 ERZD (1.63 acres)** and **O-2 ERZD (11.95 acres)** and will allow for the development of an office complex. Currently the site is undeveloped.

2. Surrounding Land Uses:

A residential neighborhood, Shavano Ridge Unit 1, is immediately west of the subject site. The Woods of Shavano neighborhood exists to the north. The property immediately to the east of the site is currently undeveloped. A City Public Service Energy substation exists to the south of the property.

3. Water Pollution Abatement Plan:

The property is contained within the West Shavano Development WPAP. The Texas Commission approved the WPAP on November 18, 1992.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on April 15, 2008, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

- A. The subject site was observed as a single lot, heavily vegetated with native trees, approximately 13.30 acres in area. No structures were observed on the site, other than a City Public Service high tension power line easement along a generally north-south alignment.

Moderate exposure of bedrock was observed throughout the property. The exposed limestone observed on the subject property included medium to dark gray moderately weathered bedrock and float rock limestone with sparse vugs visible in some areas. An apparent ephemeral drainage feature was observed running generally northeast-southwest through the northern portion of the subject site.

The site appeared to slope to the northeast. Stormwater occurring on the subject site would drain to the northeast towards Shavano Creek.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer throughout the northern half of the property, and by the Undivided Upper Confining Unit Member throughout the southern half of the property. The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick. The exposed bedrock observed on the subject site was found to be consistent with the characteristics of the Marine and Cyclic Member.



The Undivided Upper Confining Unit is characterized by the presence of massively bedded gray to light tan limestone with relatively low porosity and permeability. This unit is considered to be the upper confining member of the Edwards Aquifer and tends to prevent subsurface migration of fluids.

Based on a review of a geologic assessment of an adjacent property, the subject site vicinity is generally underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer, and the Undivided Upper Confining Unit Member. Visual evidence indicates that observed rock exposure on the subject site is consistent with characteristics of the Cyclic and Marine Member.

- C. An ephemeral drainage was observed to cross the site. A mapped fault is known to exist to the north of the property, but does not intersect the site at any point. A previous Geologic Assessment identified two faults on the parent parcel, possibly sympathetic to the mapped fault to the north. These faults do not intersect the subject property.

A sinkhole, approximately 3 feet wide and 2 feet deep, was sealed in September 1996 with a 4 foot by 8 foot concrete cap, and then covered by native soil. The plugging of the feature was in accordance to a TCEQ approval letter dated September 29, 1994. However, this feature was observed to have slightly collapsed at one edge, allowing surface water to drain along the edge of the concrete cap.

## ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### 1. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.
- C. There will be no outside storage of hazardous materials with the potential for contamination of stormwater runoff.

## ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### Site Specific Recommendations

1. The impervious cover shall not exceed 50% on the site.
2. The subject property was originally zoned for commercial use and is currently a category 1 property. However, the property maintained an R-6 rezoning in 2003, prior to the impervious cover limit recommendations. Based on these conditions staff is recommending 50% impervious cover.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

Zoning Commission Members  
Zoning Case Z2008147 (De Zavala Commercial Development)  
Page 5

7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

#### General Recommendations

1. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning.
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
  - D. A copy of the approved Water Pollution Abatement Plan.
2. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal Law.
3. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.

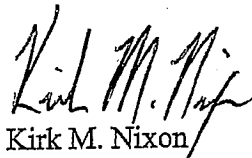
Zoning Commission Members

Zoning Case Z2008147 (De Zavala Commercial Development)

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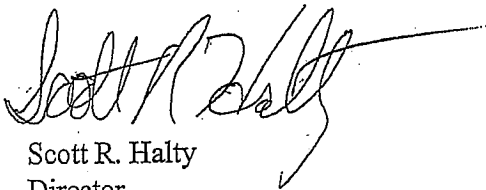
4. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
5. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



Kirk M. Nixon  
Manager  
Resource Protection Division

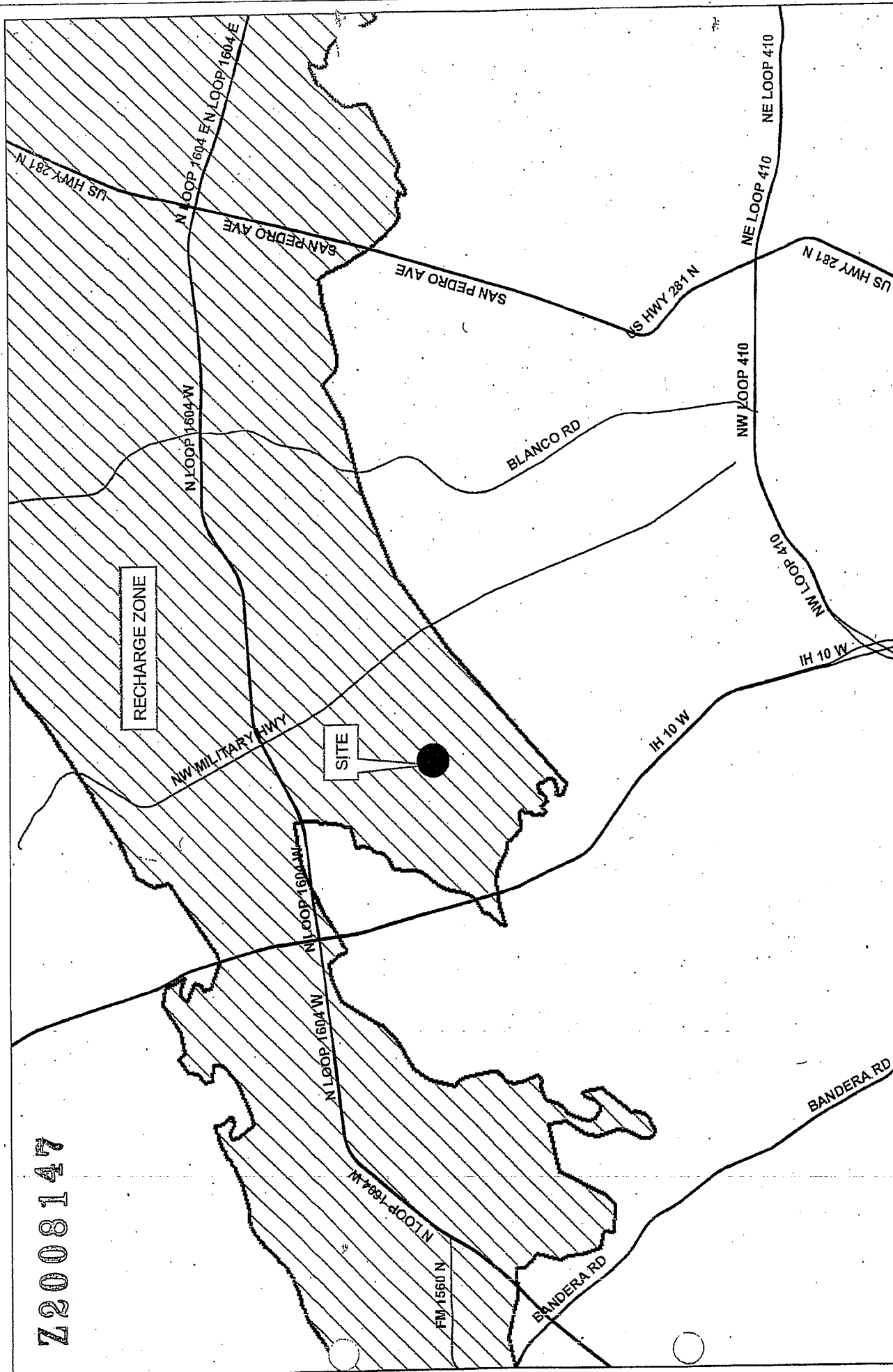
APPROVED:



Scott R. Halty  
Director  
Resource Protection & Compliance Department

KMN:MAE

Z2008147

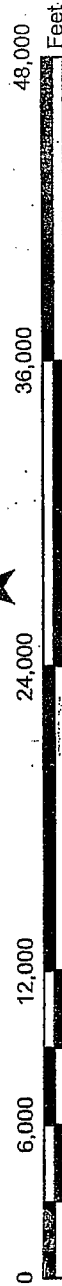


ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE 1)

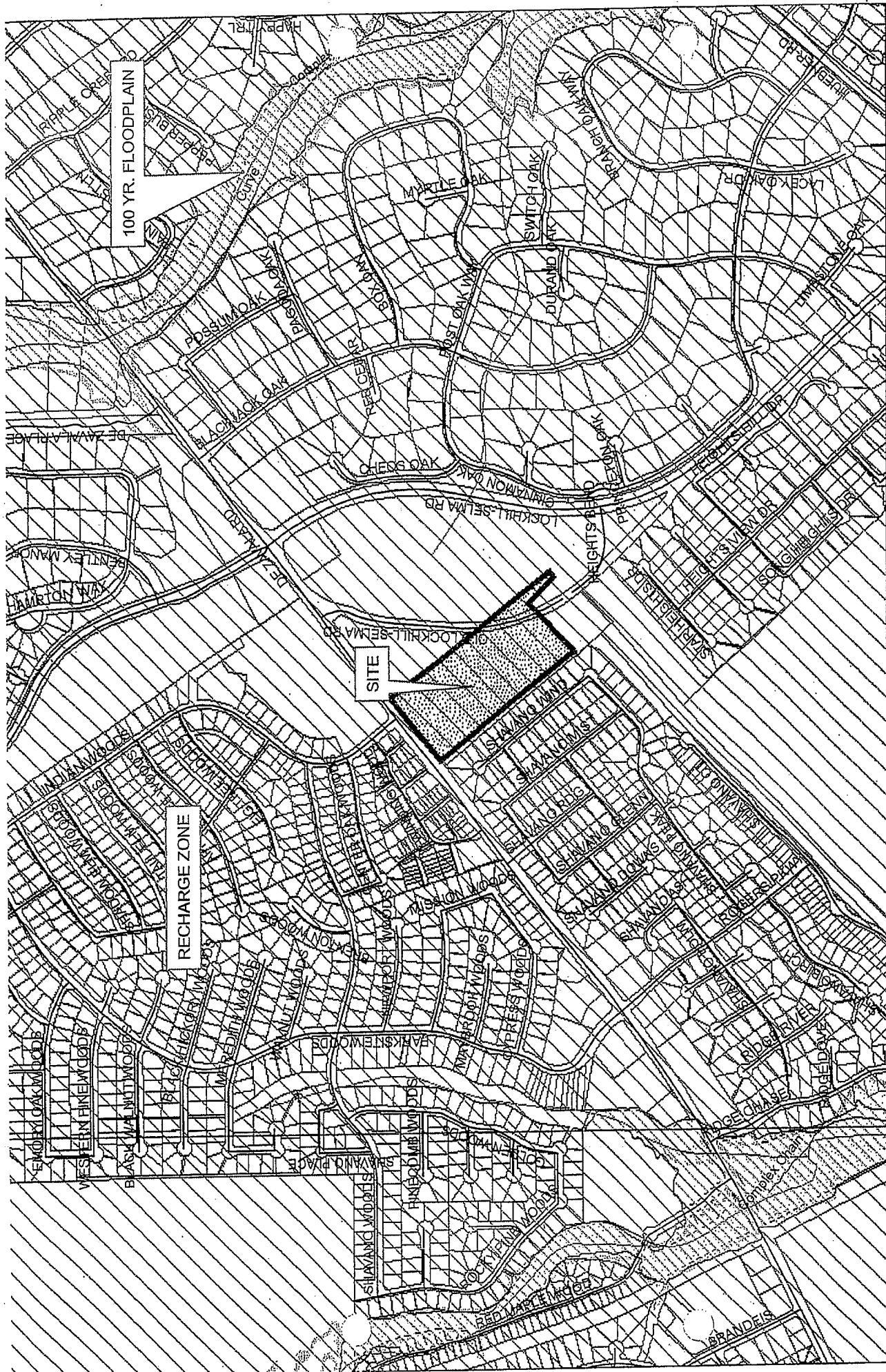
ZONING ID: Z2008147

MAP PAGE: 515, B7 X= 2106045 Y= 13756179

Map Prepared by Aquifer Protection & Evaluation MAE 4/14/2008



1 inch equals 6,985.586243 feet



ZONING FILE: DE ZAVALA COMMERCIAL DEVELOPMENT (FIGURE 2)

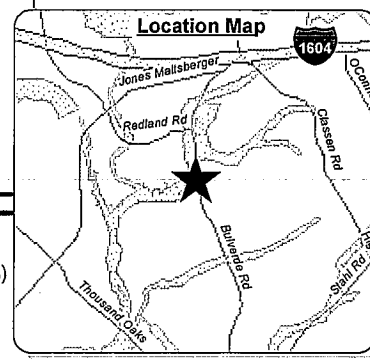
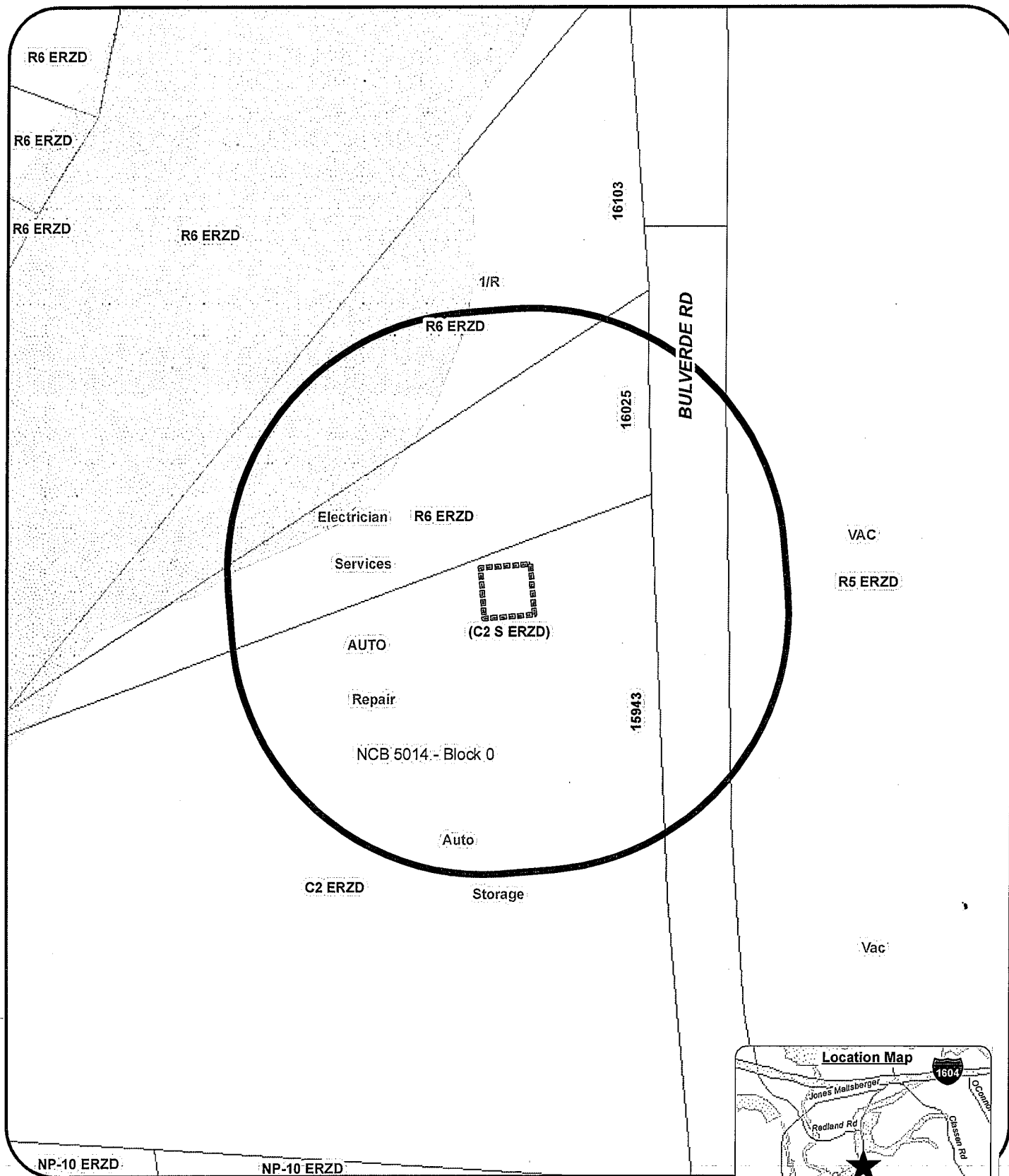
ZONING ID: Z2008147

MAP PAGE: 515, B7 X= 2106045 Y= 13756179

Map Prepared by Aquifer Protection & Evaluation MAE 4/14/2008

1 inch equals 769.367249 feet

Z2008147



## Zoning Case Notification Plan

### Case Z2008-213 S ERZD

Council District 10

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 0.0367 acre out NCB 5014

#### Legend

Subject Property	0.0367 acres
200' Notification Buffer	
Current Zoning	C2 ERZD
Requested Zoning Change	(C2 S ERZD)
100-Year FEMA Floodplain	



City of San Antonio  
Planning - Development Services Dept.  
10/31/2008  
D. E. Castillo

# CASE NO: Z2008213 S ERZD

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

**Council District:** 10

**Ferguson Map:** 518 B6

**Applicant Name:**

**Owner Name:**

T-Mobile West Corporation

Daniel G. Blue, Jr.

**Zoning Request:** From "C-2" ERZD Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a Wireless Communication System.

**Property Location:** 0.0367 acres out of CB 5014

15943 Bulverde Rd.

On the west side of Bulverde Road between Redland Road to the north and Green Spring Drive to the south

**Proposal:** To allow a wireless communication system

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Denial

The subject property is located within an auto repair and auto storage facility, which has ingress/egress on Bulverde Road (a Primary Arterial Type "A" street). The property is adjacent to R-6 zoning to the north and west, NP-10 zoning to the south and R-5 zoning to the east across Bulverde Road. The surrounding land uses consist of undeveloped land to the east across Bulverde Road; a residential dwelling to the south; a drainage right-of-way to the west and a residential dwelling and a contractor facility to the north. The current uses on the subject property, located at 15943 Bulverde Road, which consist of auto repair, outside storage and landscape maintenance and sales were registered as non-conforming on January 9, 1997.

The applicant has applied for a Specific Use Authorization in order to construct a wireless communication system with accessory support structures on approximately 0.0367 acres (1,600 square feet) of the commercial property. This proposed system would consist of a 150-foot tall monopole and an equipment shelter. According to the applicant, this location is a preferred site to eliminate gaps in cellular phone service in the area.

This property is located over the Edwards Aquifer Recharge Zone. As such, Planning and Development Services staff supports the SAWS recommendation that a wireless communication tower, as proposed at this location, may be detrimental to the Edwards Aquifer. SAWS has expressed concerns regarding the on-site, above ground storage tank. This storage tank, which has a 132 gallon fuel storage capacity, could allow diesel fuel to infiltrate the water source should there be a leak. The applicant has informed staff that a secondary containment structure for the storage tank is not necessary because the tank that will be used for the diesel fuel storage is double walled. Therefore, according to the applicant the requested containment structure requested by SAWS would serve as a third method of containment.



# **CASE NO: Z2008213 S ERZD**

## **Final Staff Recommendation - Zoning Commission**

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Staff encourages the applicant to consider co-location or clustering of the proposed wireless communication system with other existing wireless systems in the vicinity, and/or to consider stealth design. Should the Zoning Commission recommend approval of the Specific Use Authorization, it is possible that concerns may be addressed by placing conditions on the proposed wireless communication system.

The purpose of the specific use authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations.

### **SAWS Summary:**

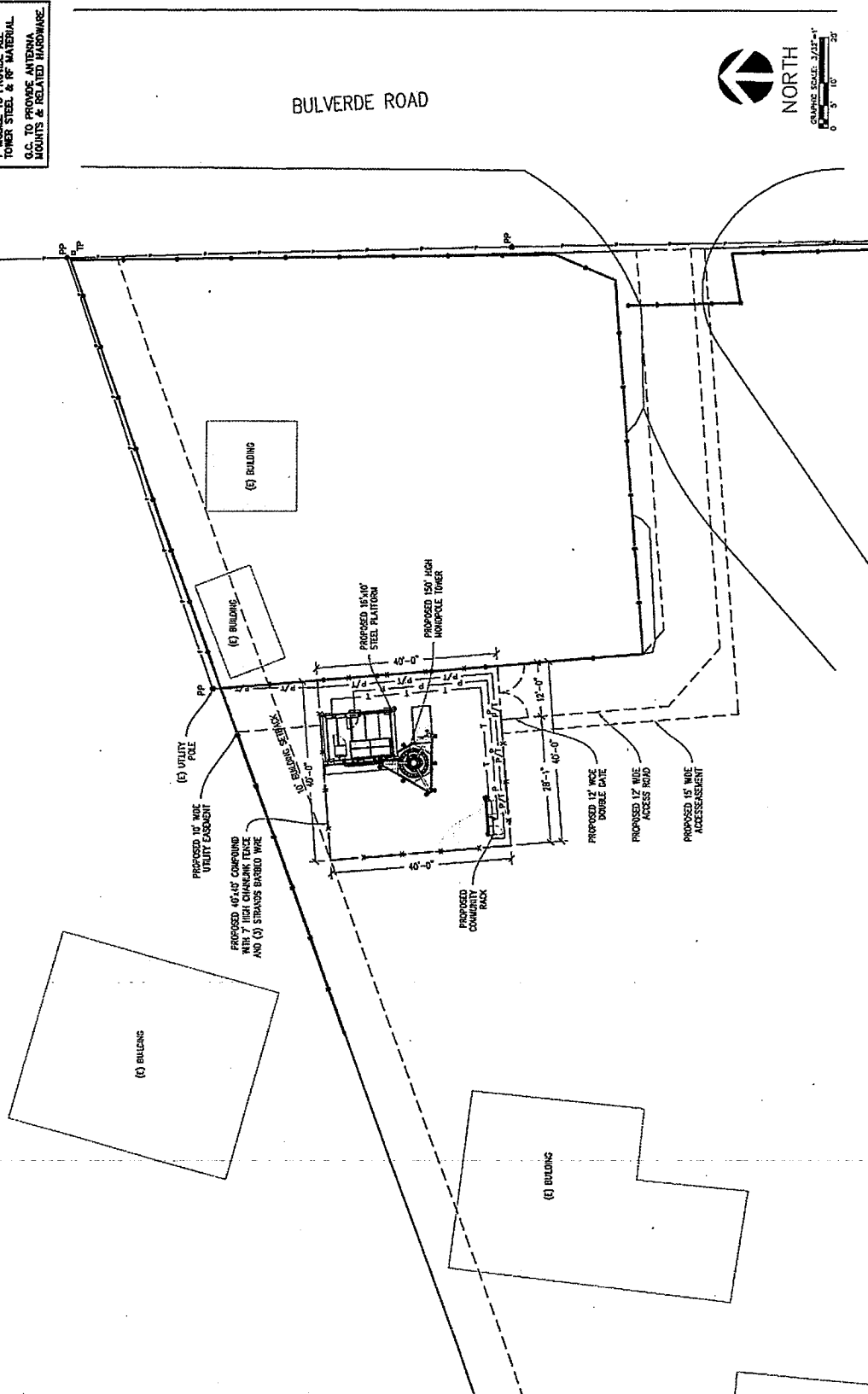
1. SAWS recommends disapproval of the proposed land use.
2. SAWS currently identifies the subject property as a Category 2 property.
3. SAWS recommends a maximum impervious cover of 10% on the site.

**CASE MANAGER :** Brenda Valadez 207-7945

**ANALYSIS AND DESIGN OF ROOFTOP BY OTHERS. NO  
ERECTOR OR MODIFICATION OF ROOFTOP SHALL BE  
MADE WITHOUT APPROVAL OF STRUCTURAL  
ENGINEER.**

## Notes

**T-MOBILE TO PROVIDE ALL  
TOWER STEEL & RF MATERIAL**



3801 S. CAPITAL OF TEXAS HWY, SUITE 300  
AUSTIN, TX 78704

PROJECT NO: SA01272A

**DRAWN BY:** VC/JJ

**CHECKED BY: JC**

4	01/20/08	FINAL-911 ADDRESS
3	06/12/08	FINAL-PLATFORM SIZE
2	06/29/08	FINAL CD W/SURVEY
1	04/28/08	PRELIMINARY CD
0	03/02/08	LEASE EXHIBIT

ALLPRO

Suite 201, Dallas, TX 75243  
Phone: 972-231-8883  
Fax: 972-354-8375  
www.alprocof.com



SA01272A  
BLUE LANDSCAPING

5943 SILVERD R RD #111C  
SAN ANTONIO, TX 78247  
BEXAR COUNTY

**SHEET TITLE**

OVERALL SITEPLAN

**WISCONSIN 12236**

**C-2**

(C) BUILDING

PP

(C) POWER POLE  
W/ TRANSFORMER

PROPOSED (1) 4" BURED SCH-40 PNC CONDUIT  
FOR TELCO FROM (E) UTILITY POLE  
TO PNC UNIT W/ METER AND CAP

PROPOSED (1) 3" BURED SCH-40 PNC CONDUIT  
FOR POWER (C) UTILITY POLE TO PNC UNIT

NOTE: C.C. TO PROVIDE CONDUCTORS  
FROM TRANSFORMER TO METER BASE.

(E) BUILDING

PROPOSED COMPOUND  
WITH 7' HIGH CHAINLINK FENCE  
AND (C) STRONGS BURRED WIRE  
FOR OUTDOOR BTS EQUIPMENT

PROPOSED UTILITY RACK  
W/ PNC UNIT

PROPOSED 16'-0" STEEL PLATFORM

(C) FENCE

PROPOSED CANOPY SUPPORT  
POSTS (TYP. 6)  
FOR 16'-0" CANOPY

PROPOSED T-MONOPOLE  
ANTENNA

PROPOSED 150' HIGH MONOPOLE  
W/ (9) PANEL ANTENNAS AND SECTOR SCOUT  
(C) ACTIVE ANTENNAS PER SECTOR  
SECTOR A, 180° @ 150' RAD CENTER  
SECTOR B, 180° @ 150' RAD CENTER  
SECTOR C, 300° @ 150' RAD CENTER

PROPOSED 12' WIDE  
DOUBLE SWING  
ACCESS GATE

PROPOSED 16' WIDE  
ACCESS EASEMENT

PROPOSED GRAVEL  
SURFACE

PROPOSED 24"  
I/E BRIDGE

PROPOSED COMMUNITY BACK  
W/ METER GANG & TELCO BOX

NOTE:  
T-MONOPOLE TO PROVIDE ALL  
TOWER STEEL & RF MATERIAL.  
G.C. TO PROVIDE ANTENNA  
MOUNTS & RELATED HARDWARE.

ANALYSIS AND DESIGN OF ROOFTOP BY OTHERS. NO  
ERECTION OR MODIFICATION OF ROOFTOP SHALL BE  
MADE WITHOUT APPROVAL OF STRUCTURAL  
ENGINEERS.

NORTH  
GRAPHIC SCALE: 1/4"=1'-0"

**L**

CONSULTING GROUP  
9221 Lyndon B. Johnson  
Suite 204, Dallas, TX  
Phone: 972-211-6339  
Fax: 972-211-6375  
www.allprogroup.com



33

DEVELOPMENT SERVICES  
RECEIVED

SAN ANTONIO WATER SYSTEM  
Interdepartment Correspondence Sheet

2008 OCT 21 AM 11:55

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2008213 (T-Mobile)

**Date:** October 21, 2008

#### SUMMARY

A request for a change in zoning has been made for an approximate 0.25-acre tract located on the city's northeast side. A change in zoning from **C-2 ERZD** to **C-2 SUP ERZD** is being requested by the applicant, T-Mobile West Corp. The change in zoning has been requested to allow for the development of a telecommunications tower.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **disapproval** of the proposed land use. SAWS has concerns regarding the on-site, above ground storage tank (AST) that has a capacity of 132 gallons of diesel. The applicant is stating that a curbed, concrete, secondary containment structure will not be constructed as requested by SAWS.

#### LOCATION

The subject property is located in City Council District 10, near the intersection of Bulverde Road, near Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

## **SITE EVALUATION**

### **1. Development Description:**

The proposed change is from C-2 ERZD to C-2 SUP ERZD and will allow for the construction of a telecommunications tower. The 0.25 acre tract is located at the front corner of an existing commercial, automotive repair facility.

### **2. Surrounding Land Uses:**

Redland Oaks and Green Spring Valley Neighborhoods are located to the north, west, and south of the subject tract. Undeveloped land and Bulverde Road is located the east of the site.

### **3. Water Pollution Abatement Plan:**

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to the commencement of construction.

### **4. Geologic Conditions:**

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on September 3, 2008, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

- A. The subject site was observed to be developed as an automotive repair and salvage yard, approximately 5.1843 acres in area, of which 0.25 acres are to be rezoned for the tower. Numerous buildings, sheds, storage units, disassembled automobiles and associated asphalt driveways and parking lots were observed on the site. The majority of the subject site was observed to be covered with compacted gravel or asphalt paving.

No exposure of bedrock was observed throughout the entire extents of the property. The subject property was observed with compacted gravel cover or asphalt paving throughout.

The site appeared to slope gently to the east. Stormwater occurring on the subject site would drain to the east towards Bulverde Road, and into a series of ephemeral drainages beyond.

- B. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the

Person Formation of the Edwards Aquifer. This could not be confirmed by visual observation due to the use of compacted gravel cover and asphalt parking throughout the property.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick.

- C. The subject site was observed to be covered with significant compacted gravel cover and asphalt parking. No sensitive geologic features were observed on the subject site.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **Site Specific Concerns**

1. A generator will be used on site that has an integrated diesel tank that will contain 132 gallons of diesel for a back up generator without a curbed concrete, secondary containment.

### **General Concerns**

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific Recommendations**

1. The impervious cover shall not exceed 10% on the site.
2. The SAWS recommendation of 10% maximum impervious cover for the 0.25 acres is based on the fact that with the exception of a cell tower pad and generator pad the rest of the site will include pervious cover.

3. The AST shall be placed within a containment basin designed to capture and retain a minimum of 150 percent of the storage capacity of the AST.
4. A spill containment kit and approved absorbent materials designed to capture and retain potential spills shall be clearly labeled and displayed within 20 feet of the containment area.
5. Measures should be taken to insure no contamination will occur in the event of an accidental spill. The above ground storage tank on site shall have secondary containment that will capture 150% of the volume and a monitoring system that will prevent any accidental leaks.
6. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
7. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3520.

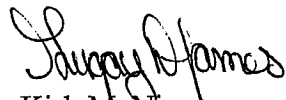
### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
  - a. Below grade basins shall not be allowed to be constructed on the site.
  - b. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3520 to schedule a site inspection.
  - c. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3520 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection Section.
  - d. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
  - e. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.



6. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
7. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

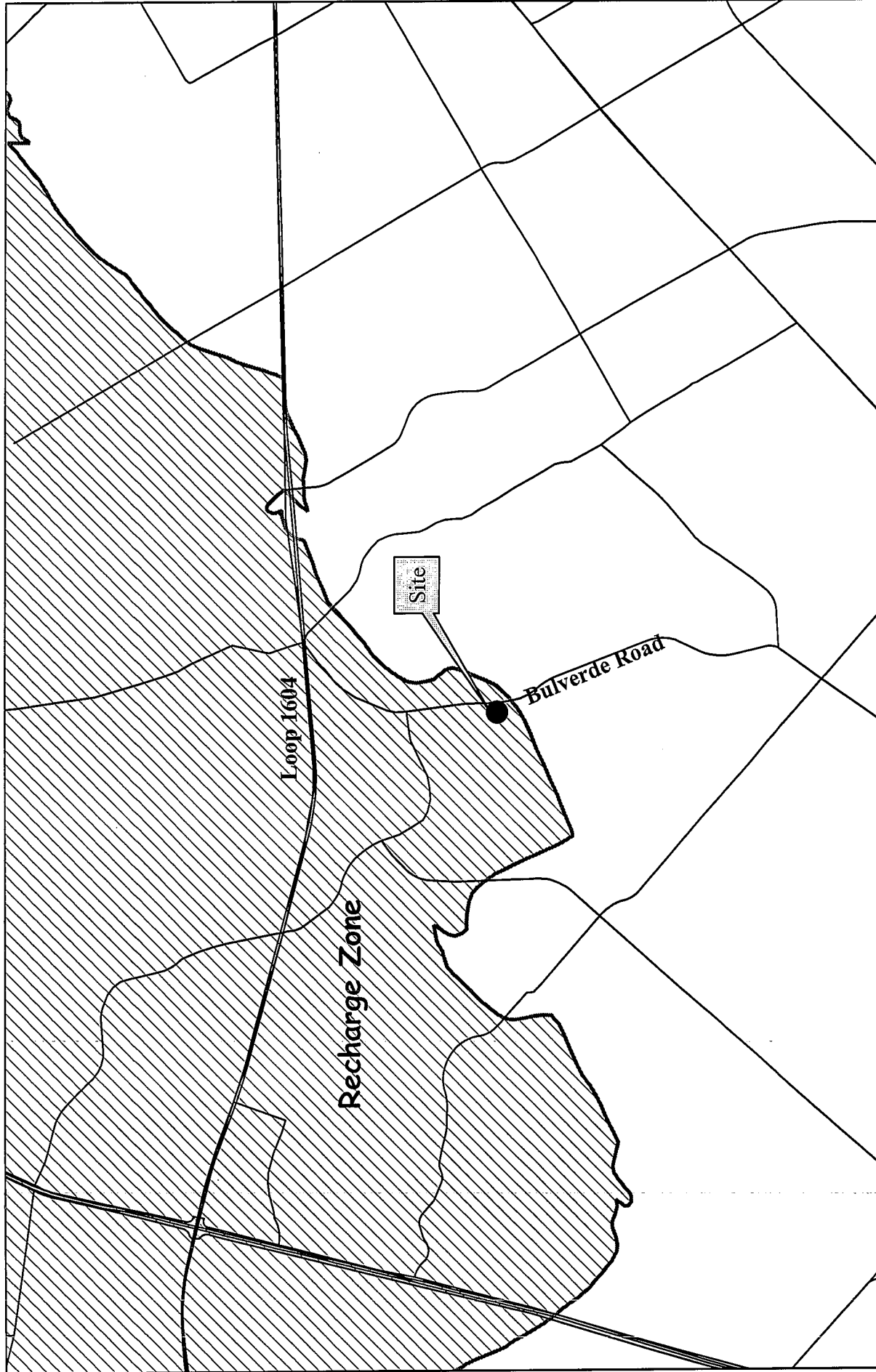
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **disapproval** of the proposed land use. SAWS has concerns regarding the on-site, above ground storage tank (AST) that has a capacity of 132 gallons of diesel. The applicant is stating that a curbed, concrete, secondary containment structure will not be constructed as requested by SAWS.

  
For Kirk M. Nixon  
Manager  
Resource Protection Division

DISAPPROVED:

  
Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



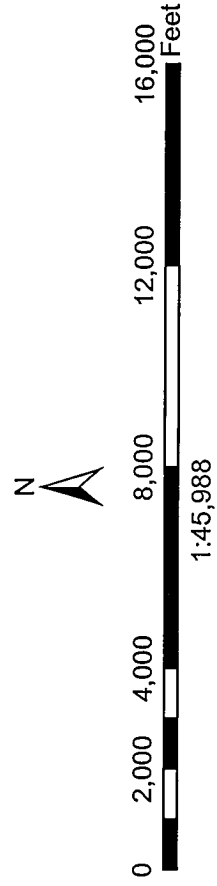
**Zoning Case No. Z2008213 Figure 1**

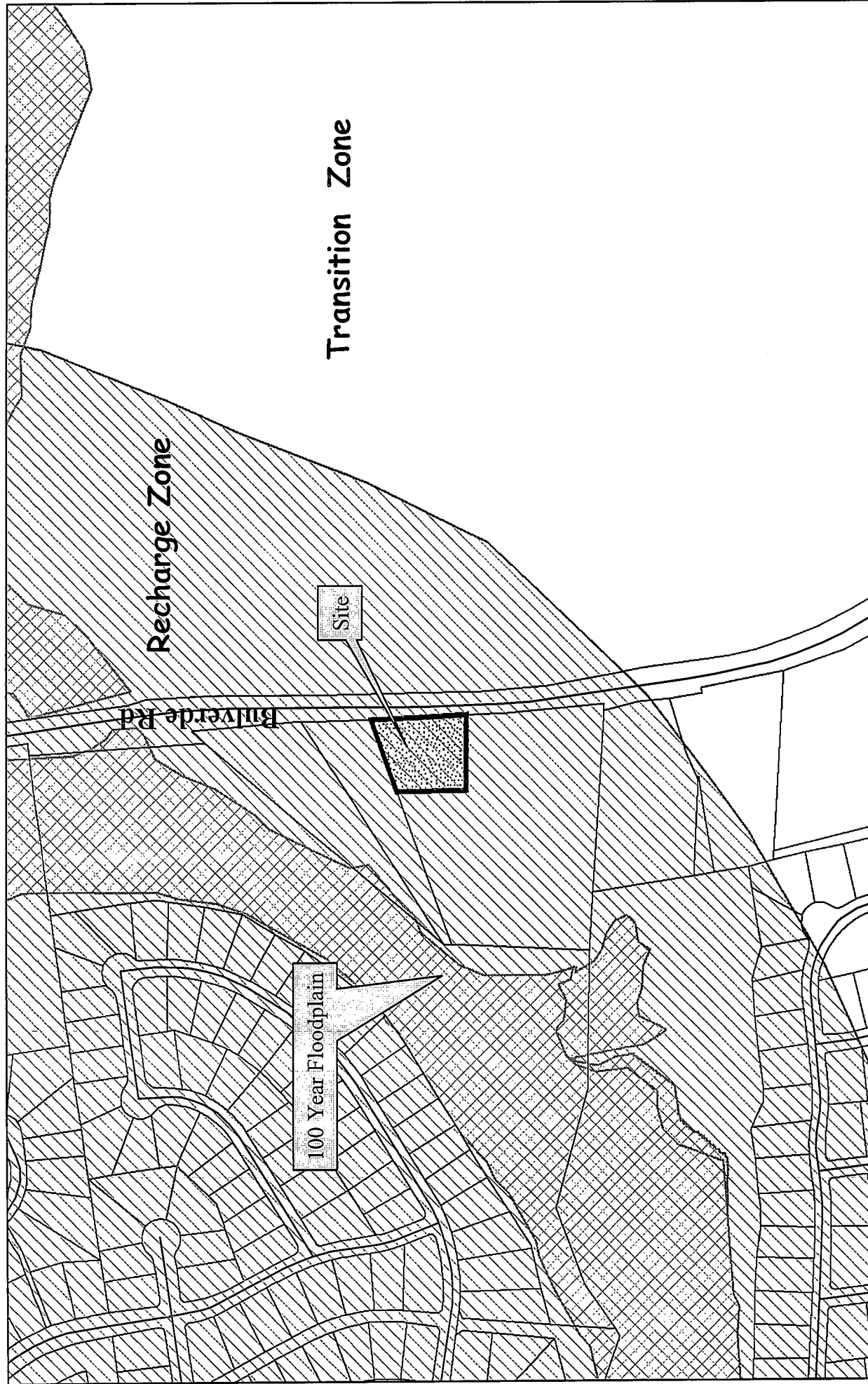
T- Mobile

Map Page 518 B6

X=2151606 Y=13761315

Map Prepared by Aquifer Protection and Evaluation MJB 9/3/2008





**Zoning Case No. Z2008213 Figure 2**

T-Mobile

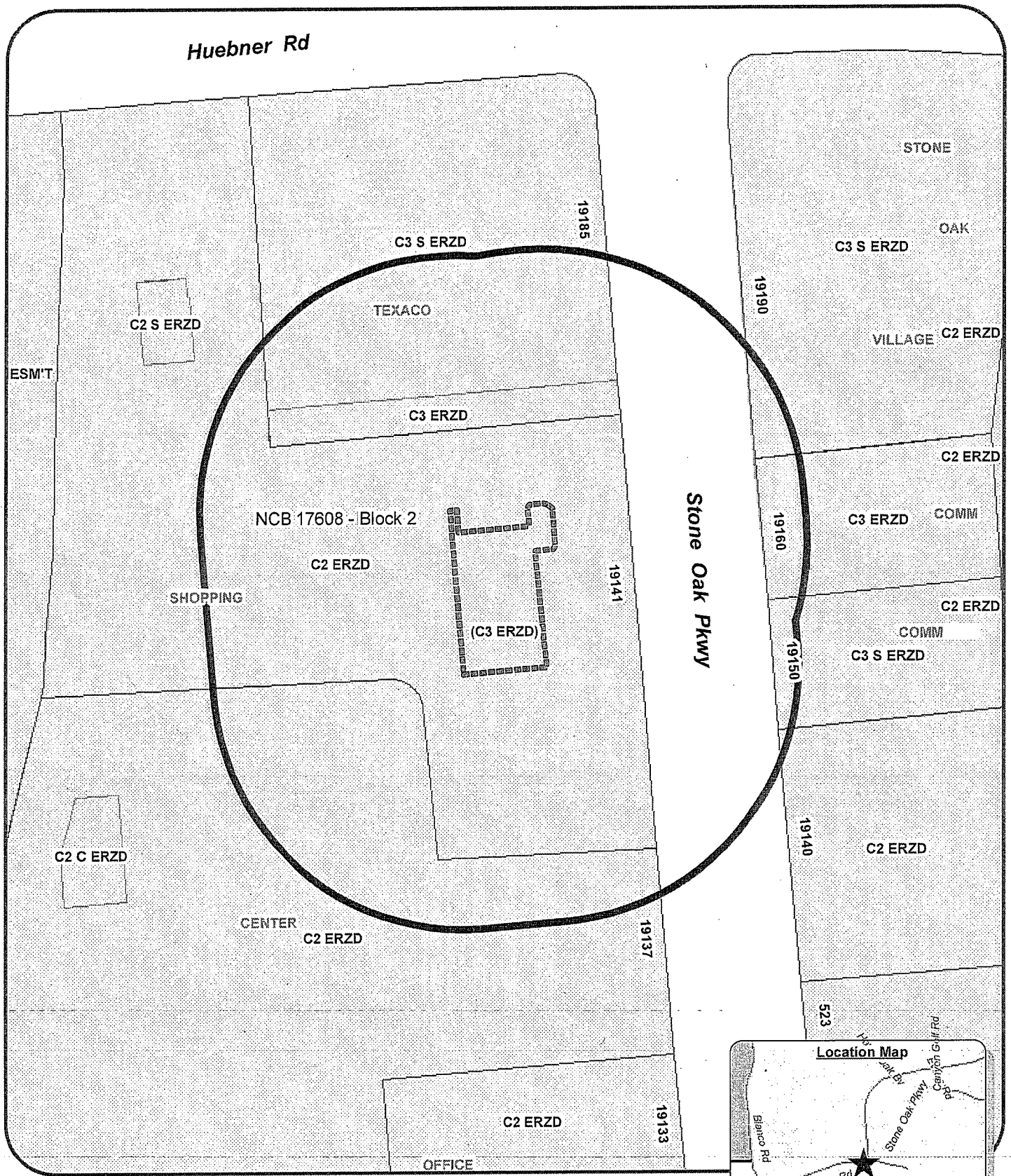
Map Page 518 B6

X=2151606 Y=13761315

Map Prepared by Aquifer Protection and Evaluation MJB 9/3/2008



1:3,699



## Zoning Case Notification Plan

### Case Z2009-004 ERZD

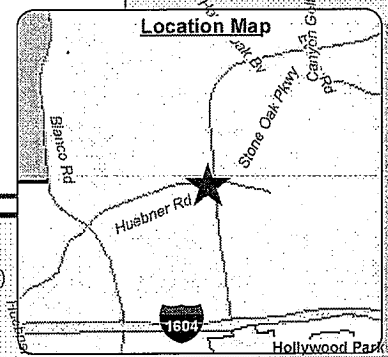
Council District 9

Scale: 1" approx. = 200'

Subject Property Legal Description(s): 0.195 of an acre out of Lot 60, Block 2, NCB 17608

#### Legend

Subject Property	-----	(0.195 acres)
200' Notification Buffer	-----	
Current Zoning	C2 ERZD	
Requested Zoning Change	(C3 ERZD)	
100-Year FEMA Floodplain	-----	



City of San Antonio  
Planning - Development Services Dept.  
09/25/2008  
D. E. Castillo

# CASE NO: Z2009004 ERZD

## Final Staff Recommendation - Zoning Commission

---

**Date:** November 18, 2008

**Council District:** 9

**Ferguson Map:** 482 E7

**Applicant Name:**

Brown & Ortiz, P. C. Attorneys at Law

**Owner Name:**

Stone Oak Enterprises

**Zoning Request:** From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District.

**Property Location:** 0.195 of an acre out of Lot 60, Block 2, NCB 17608

19141 Stone Oak Parkway, Suite 108

On the west side of Stone Oak Parkway, south of Huebner Road

**Proposal:** To allow for a Bar/Tavern

**Neighborhood Association:** Sonterra/Stone Oak Owners Association

**Neighborhood Plan:** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

**Staff Recommendation:**

Approval

The applicant has requested a change in zoning to "C-3 ERZD" General Commercial Edwards Recharge Zone District for a 0.195 acre tract of land located on the north side of San Antonio. The subject property is located at 19141 Stone Oak Parkway, Suite 108, which is 8,505 square feet out of an overall development known as Stone Oak Crossing. The subject property has frontage on Stone Oak Parkway and is located approximately 370 feet south from the intersection of Stone Oak Parkway and Huebner Road. The subject property has direct access onto Stone Oak Parkway and secondary access onto Huebner Road.

The zoning request is to allow for the operation of a bar/tavern to remain open beyond the hours of the existing restaurant currently operating as Cielito Lindo Restaurant & Bar. The subject property is located within an existing commercial development and is a suite within a multi-tenant building. The proposed zoning and use is compatible with the character of the existing retail and service uses in the immediate area. The proposed bar/ tavern use would be restricted to a portion of the multi-tenant building and would not extend beyond the 8,505 square foot space. The existing multi-tenant building is oriented away from the adjacent multi-family residential developments, and other uses of varying intensities lessen the direct impact of the proposed use to adjacent properties. The C-3 General Commercial District is a regional commercial district most appropriate at the intersections of major thoroughfares and along the frontages of super arterials and freeways. Staff finds this request reasonable due to the location of the subject property on Stone Oak Parkway, near Huebner Road (both Secondary Arterial Type A roads), and the existing similarly zoned properties similarly situated at this intersection.

SAWS Summary

SAWS does not object to extending the hours of operation for the Cielito Lindo Restaurant & Bar located within the Stone Oak Crossing. The request to extend the bar hours of operation will not increase the impervious cover for the subject property, which is within an existing commercial development. In addition, many of the intense uses that are normally allowed in "C-3" are prohibited within the Edwards Recharge Zone District.

**CASE MANAGER :** Pedro Vega 207-7980

RECEIVED

08 OCT 21 PM 2: 46

**SAN ANTONIO WATER SYSTEM**  
**Interdepartmental Correspondence Sheet** LAND DEVELOPMENT  
SERVICES DIVISION

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Patricia M. Garza, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2009004 (Cielito Lindo)

**Date:** October 13, 2008

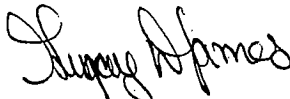
**SUMMARY**

A request for a change in zoning has been made for an approximate 0.195-acre tract located on the city's north side. A change in zoning from **C-2 ERZD** to **C-3 ERZD** is being requested by the applicant, Brown, P.C., by Mr. James B. Griffin. The change in zoning has been requested to allow the existing Restaurant & Bar to extend the hours of operation.


Currently the site is fully developed as a commercial retail business park with several businesses located within the overall property of Stone Oak Crossing. The subject property is located at 19141 Stone Oak Parkway, Suite 108 which is approximately 0.195 acres out of an overall 8.953 acre, development known as, Stone Oak Crossing Office/Retail Park approved by Texas Commission on Environmental Quality (TCEQ) with an impervious cover of 7.879 acres (88%). Additionally the proposed zoning change will not increase the impervious cover as the subject site is requesting the zoning change to increase the hours of business operation.

According to the U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Aquifer. Observation of underlying geology was not possible since the site is developed and covered with parking lots and buildings. The subject property is located in City Council District 9, near the intersection of Huebner and Stone Oak Parkway. The entire property lies within the Edwards Aquifer Recharge Zone. (Figures 1 and 2).

Based on the information submitted by the applicant, SAWS staff does not object to extending the hours of operation for the Cielito Lindo Restaurant & Bar located within the Stone Oak Crossing as hours of operation do not affect the water quality. Should the San Antonio City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any proposed development on that property after the zoning classification has been changed should be reviewed by all applicable agencies.

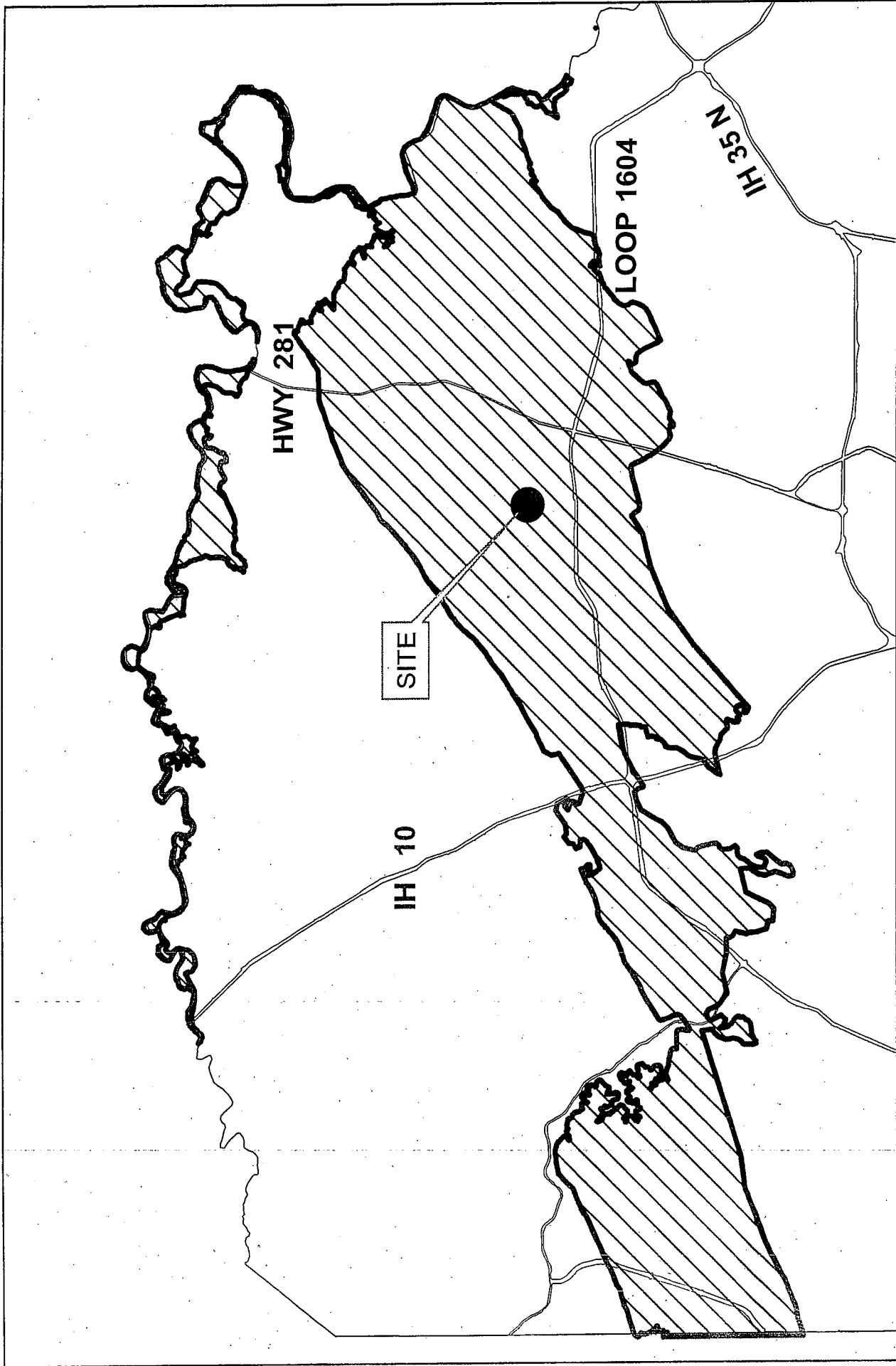
  
For Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

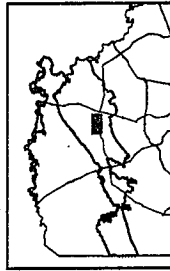
KMN:PMG



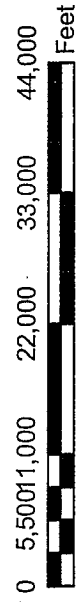
ZONING CASE: Cielito Lindo  
ZONING ID: Z2009004

MAP: 482 E8 X=2128826, Y=13775304

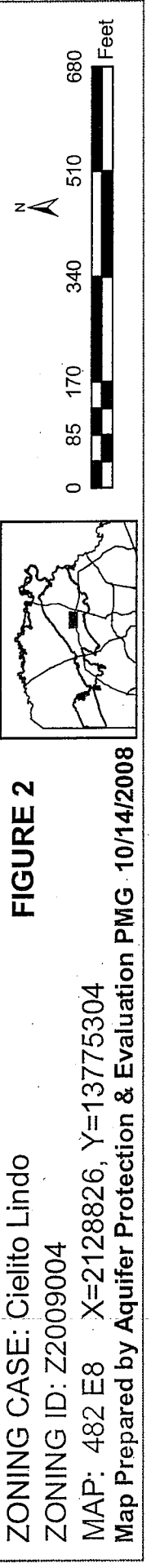
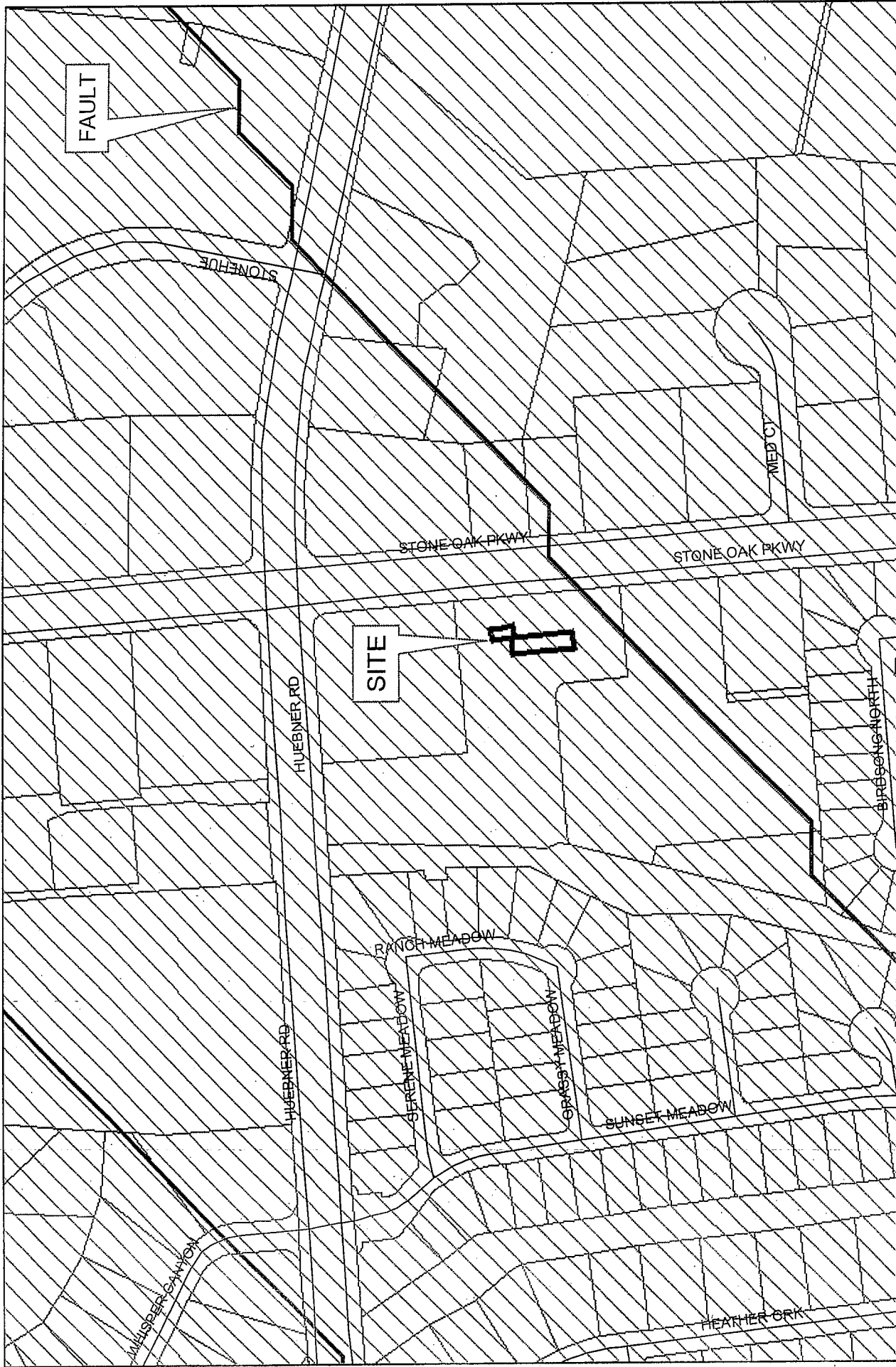
Map Prepared by Aquifer Protection & Evaluation PMG 10/14/2008



**FIGURE 1**







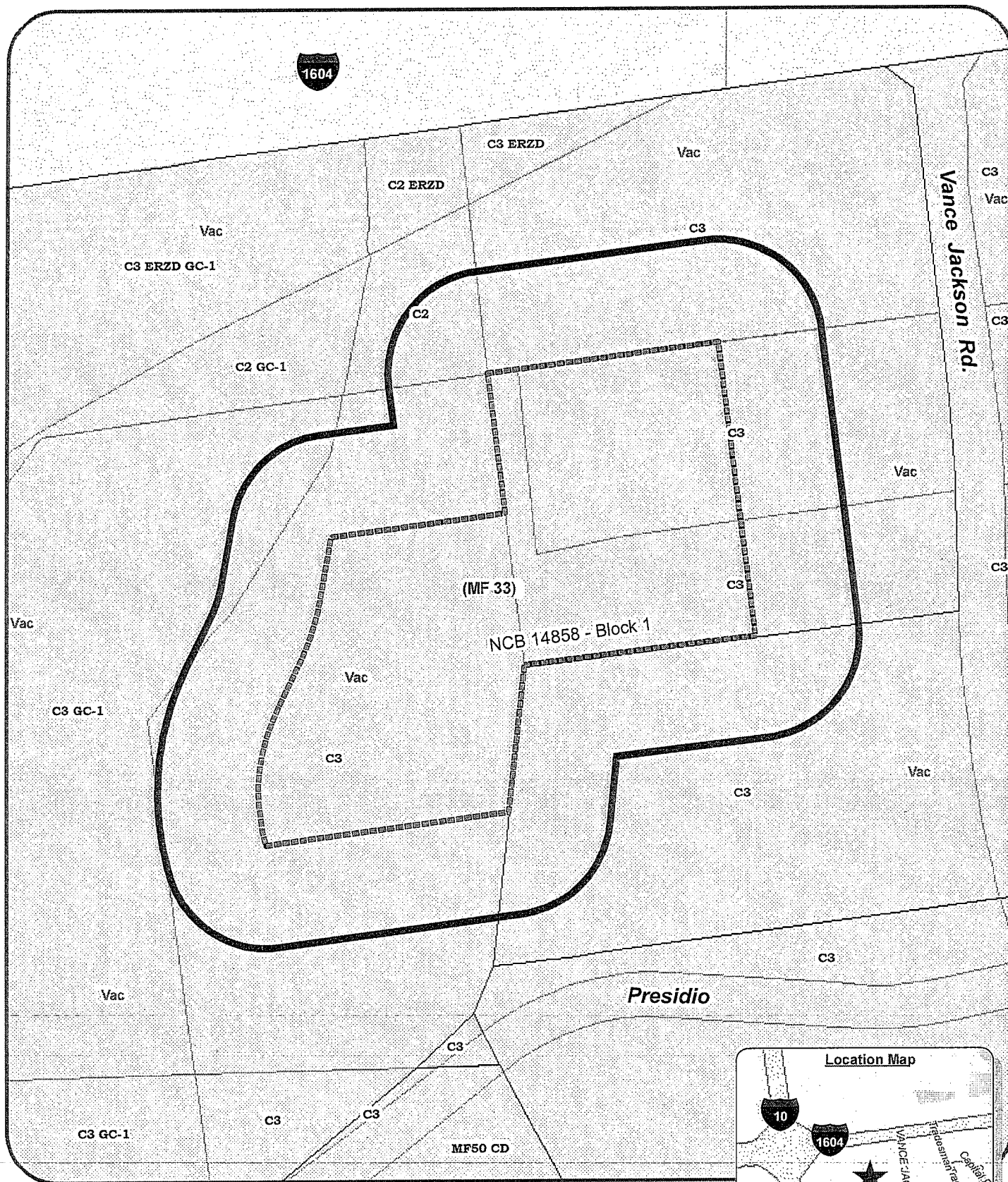
**FIGURE 2**

ZONING CASE: Cielito Lindo

ZONING ID: Z20090004

MAP: 482 E8 X=2128826, Y=13775304

Map Prepared by Aquifer Protection & Evaluation PMG 10/14/2008



## Zoning Case Notification Plan

### Case Z2008-180

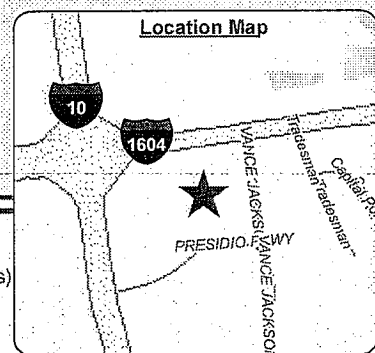
Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): 12.114 acres out of Lot 5, Block 1, NCB 14858

#### Legend

Subject Property	■■■■■■■■ (12.114 acres)
200' Notification Buffer	■■■■■■■■
Current Zoning	C3
Requested Zoning Change	(MF33)
100-Year FEMA Floodplain	■■■■■■■■



City of San Antonio  
Planning - Development Services Dept.  
09/22/2008  
D. E. Castillo

# CASE NO: Z2008180

## Final Staff Recommendation - Zoning Commission

---

**Date:** November 18, 2008

Zoning Commission Continuance (Applicant Request) from  
October 7, 2008.

**Council District:** 8

**Ferguson Map:** 514 D5

**Applicant Name:**

Kaufman & Associates, Inc.

**Owner Name:**

IH-10 Loop 1604 Partners, Ltd.

**Zoning Request:** From "C-3" General Commercial District to "MF-33" Multi-Family District.

**Property Location:** A 12.114 acre tract of land out of Lot 5, Block 1, NCB 14858

Approximately 302.47 feet north of Presidio Parkway and 416.15 feet west of Vance  
Jackson Road

East of Interstate Highway 10 and south of Loop 1604 West

**Proposal:** To allow for a multi-family development

**Neighborhood Association:** None

**Neighborhood Plan:** None

**TIA Statement:** A Level 3 Traffic Impact Analysis (TIA) has been submitted for review.

**Staff Recommendation:**

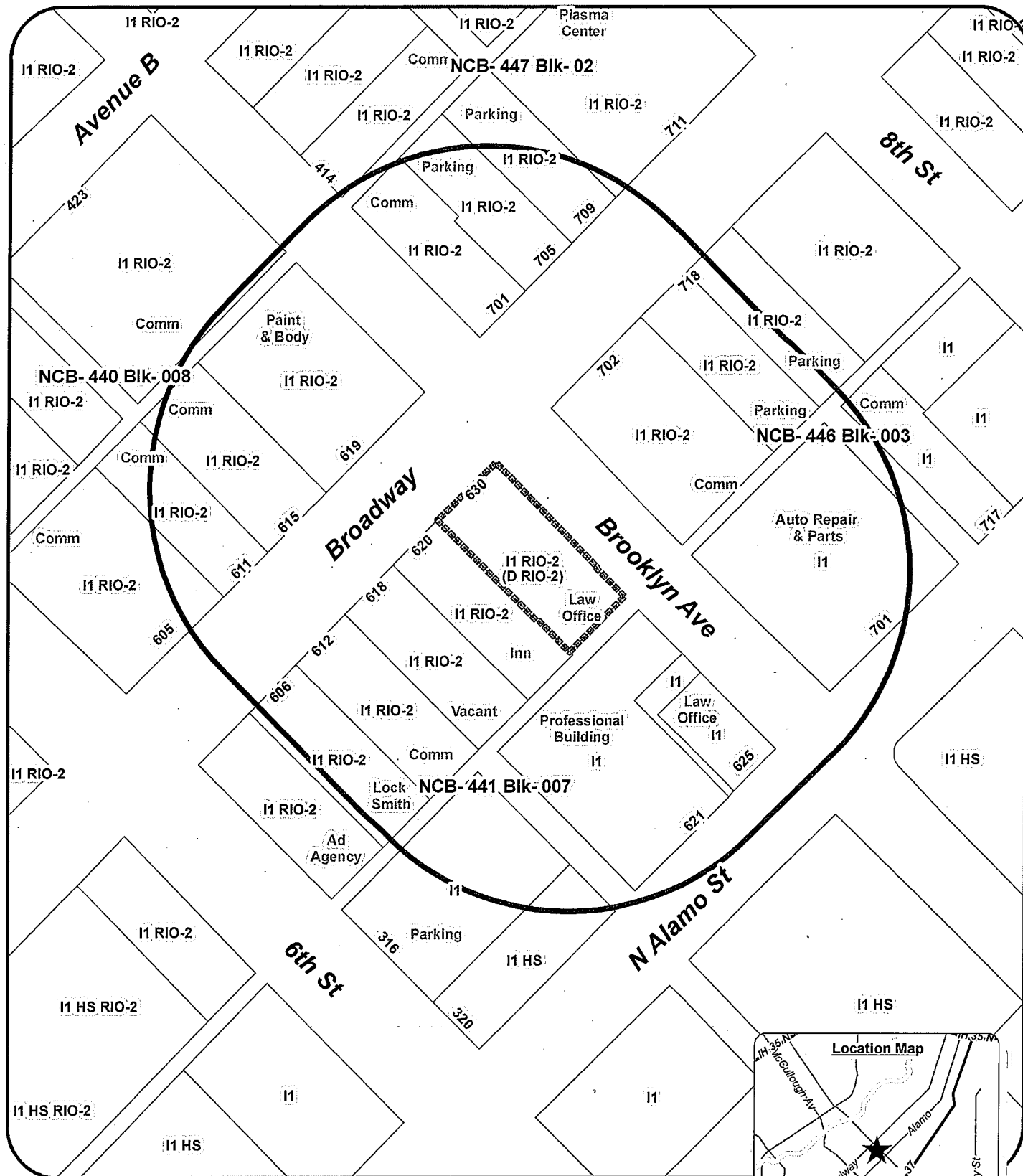
Approval

The project site is located in northwest San Antonio, east of Interstate Highway 10 and south of Loop 1604 West. The project site, consisting of approximately 12.114 acres, was annexed in February of 1971 and December of 1972, and was zoned "B-3" Business District in 1973. The adoption of the 2001 Unified Development Code resulted in the "B-3" Business District being converted to "C-3" General Commercial District. The existing zoning surrounding the subject property is "C-3" General Commercial District and "C-2" Commercial District. There is undeveloped land to the east, west, north and south. The 12.114 acre tract of land is undeveloped and is part of the overall future development of the area. The project site is not located within a Neighborhood Association or Community Plan.

The applicant has applied for "MF-33" Multi-Family District in order to allow for a multi-family development. The calculation for 12.114 acres proposed for the "MF-33" Multi-Family District would allow a potential of 399 multi-family dwellings. Multi-family dwellings are most appropriate on the periphery of single-family neighborhoods, along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Major thoroughfares within the project site include Interstate Highway 10; Loop 1604 West; Vance Jackson Road and Presidio Parkway, a collector street. There are various commercial facilities available along Interstate Highway 10 and Loop 1604 West. Staff believes that the proposed use is appropriate for the project location and supports this request for a multi-family zoning designation.

Due to the subject property's location within the Camp Bullis Awareness Zone, this application was reviewed by the City's Office of Military Affairs and the Camp Bullis Military Installation. Seeing that the subject property is located south of Loop 1604 and is not immediately adjacent to Camp Bullis, the Garrison Commander has no concerns with the rezoning request.

**CASE MANAGER :** Pedro Vega 207-7980



## Zoning Case Notification Plan

### Case Z-2008-211

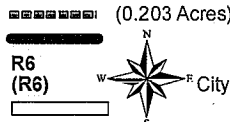
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 6 and a portion of lot 5 Blk: 007 NCB: 441

#### Legend

Subject Property (0.203 Acres)  
 200' Notification Buffer  
 Current Zoning  
 Requested Zoning Change  
 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
 (6/24/2008)

# CASE NO: Z2008211

## Final Staff Recommendation - Zoning Commission

---

**Date:** November 18, 2008

Postponed by Applicant on July 10, 2008. Zoning Commission Continuance (Applicant Request) From 8/19/08, 9/16/08, 10/21/08 and November 4, 2008

**Council District:** 1

**Ferguson Map:** 616 F4

**Applicant Name:**  
Gerardo Menchaca

**Owner Name:**  
James Shaw and Kirsten Carabin

**Zoning Request:** From "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2.

**Property Location:** 0.203 acres out of NCB 441

630 Broadway

On the southeast corner of Broadway and Brooklyn Avenue

**Proposal:** To allow mixed use development

**Neigh. Assoc.** None

**Neigh. Plan** Downtown Neighborhood Plan

**TIA Statement:** A traffic impact analysis is not required.

### Staff Recommendation:

#### River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The Chairman of the River Commission reviewed the requested rezoning and determined that review by the River Commission was not needed at this time, however the River Commission may review the project at the plan review or permit stage.

#### Consistency with Plan:

The request is consistent with the existing Downtown Neighborhood Plan, which was adopted in 1999.

#### Staff Recommendation:

##### Denial

The subject property is located on the north side of Downtown along the east side of Broadway, on the southeast corner of Broadway and Brooklyn. A law office currently occupies the subject property. The property is adjacent to I-1 zoning to the east and I-1 RIO-2 zoning to the north, south, and west. The surrounding land uses consist of commercial uses to the south; parking lots and a car dealership to the north; commercial, office, and automotive repair uses to the east; and office, automotive paint and body, parking, and vacant uses to the west. The property directly north, located at 702 Broadway, is the subject of a current rezoning case (Z2008212). The base zoning of the subject property converted from the 1938 era "K" district to the current "I-1" district upon adoption of the 2001 UDC. The River Improvement Overlay-2 (RIO-2) district was applied to this property in 2002 by ordinance number 95908. The subject property also lies within the proposed River North Master Plan area where comprehensive efforts are currently underway to embrace this area with pedestrian friendly and mixed use features.

The "D" Downtown zoning district generally allows many retail, service, residential and mixed uses and has less restrictive development standards compared to other conventional zoning districts; of particular note is the unlimited height provision. The maximum height allowed within the "RIO-2" Overlay is 120 feet or 10 stories. Buildings surrounding the subject property are generally between 1 and 3 stories in height.

Staff believes that the requested zoning district is not appropriate for this location because:

# CASE NO: Z2008211

## Final Staff Recommendation - Zoning Commission

---

- A. the development standards of the "D" District would allow for development of a size and scale that would be inconsistent with the existing development in the surrounding neighborhood;
- B. the requested "D" District would not be consistent with the zoning of the surrounding area considering that some uses permitted in each district may not be compatible; and
- C. the City is making significant investments in the River North area. The pending River North Plan is intended to support those investments. Consideration should be given to the current planning efforts when considering rezoning the subject property.

**CASE MANAGER :** Jacob Floyd 207-8318

# Neighborhood and Urban Design Division

## Zoning Case Review

**Zoning Case No.:** Z2008211

**Address:** 630 Broadway

**Existing Zoning:** I-1 RIO-2

**Requested Zoning:** D RIO-2

**Registered Neighborhood Association(s):** n/a

**Neighborhood/Community/Perimeter Plan:** Downtown Neighborhood Plan

**Future Land Use for the site:** Mixed Use

### Analysis:

Mixed Use land use provides for a mix of commercial, office and residential uses. The future land use map of the Downtown Neighborhood Plan designates the location of the subject property as being within the "Lower Broadway Neighborhood" which corresponds to district "B." This district promotes mid-to-high-rise mixed use buildings with some entertainment destinations. Mid-rise at 5-stories at a maximum density of 50 units per gross acre; no maximum density limit on high-rise development.

The requested Downtown zoning district has no height limitations and no maximum density. The RIO-2 Overlay district which includes the subject property, allows a maximum height of 120 ft, or 10 stories; however, the RIO ordinance also states that "building heights should be configured such that a comfortable human scale is established around the edges of properties." The "D" zoning category runs contrary to the intent of the RIO, current plans, and planning efforts underway in this area that promote development in support of a pedestrian-oriented environment.

Although the Downtown zoning is encouraged in the City's Business District, which includes the subject property, the current development pattern surrounding the subject parcel largely consists of one-story to mid-rise buildings utilized for industrial and commercial purposes. The Lower Broadway District in the Downtown Neighborhood Plan does address high-rise development however, it also encourages mid-to-high-rise mixed use buildings with a 5-story maximum density of 50 units per gross acre as well which would be more appropriate for this area. The proposed zoning is consistent with the "Mixed Use" future land use category however, given the current context and goals of past and current planning efforts, such development intensity and scale would be inappropriate.

The Downtown Neighborhood Plan was adopted in 1999. In 2007, an update to the River North portion of the plan was begun (which encompasses districts A, B, C, and R of the 1999 Plan). The objective of the "River North" plan is to spur revitalization of this area. Little revitalization has occurred in the River North portion since adoption of the Plan in 1999. The River North update has revisited the plan and is working with the public to create a new, implementable vision, for property owners in the area and the City as a whole.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

### Staff Recommendation:

☐ Approval

☒ Denial

☐ Alternative Recommendation:

**Reviewer:** Andrea Gilles

**Title:** Senior Planner

**Date:** 7/2/2008

**Manager Review:** Nina Nixon-Mendez

**Date:** 7/3/2008

## *San Antonio River: Mission / Vision Statement*

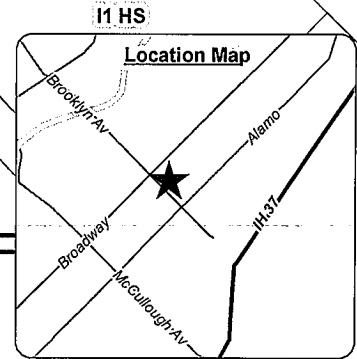
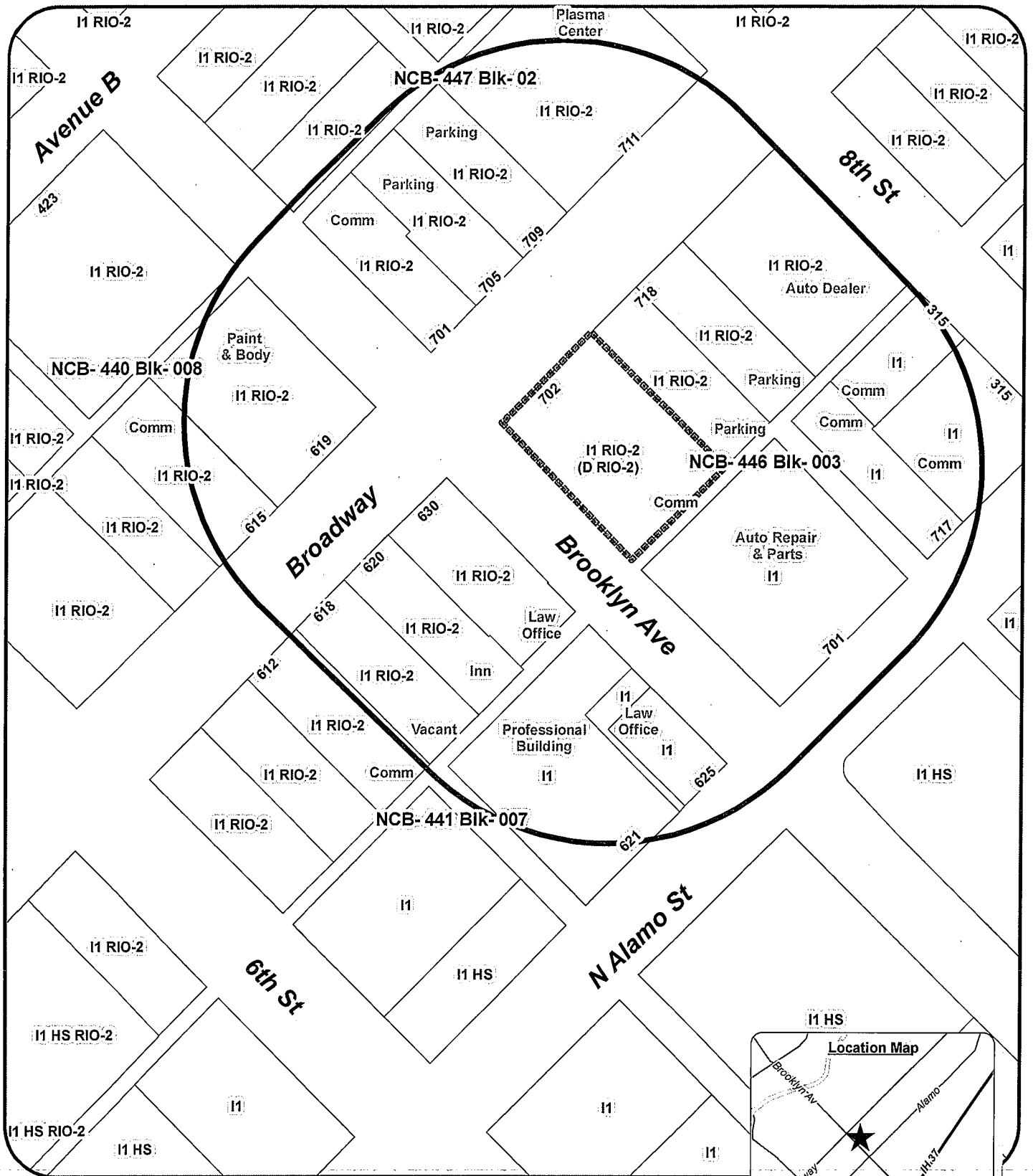
Within its city limits, the San Antonio River is 18 miles in length. In some respects, the River defines the city. One's experience of the River changes in different parts of the city. As large parts of the River are improved and adjacent development occurs, the River will change. The River Commission has adopted the following Mission and Vision statements to be used as a universal lens by which all future River-related decisions are viewed:

**Vision Statement:** The San Antonio River will be a fully linked linear park that unifies the city and serves as a community gathering place for all to enjoy. The River will have many special places and uses; some active, some quiet. Each will be unique, genuine, and vary by design.

### **Guiding Principles:**

1. **Community Access:** Community access to the River and its public spaces should be provided and encouraged.
2. **Environment:** The public spaces of the River will celebrate the natural environment, where wildlife and aquatic species flourish. The public areas of the River will be protected from intrusive commercial activities which diminish the experience along the River corridor.
3. **Surrounding Land Uses/Development:** Development activity occurring along the banks will be in keeping with the unique character of the River at that location. Land uses will also be in keeping with the City Master Plan (Neighborhood and Community Plans). In all cases, development and activity along the banks will not damage the natural environment or ecology of the River or its public spaces, but will enhance the quality of the site and environment.
4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principles and Vision.





## Zoning Case Notification Plan Case Z-2008-212

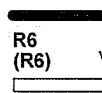
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 8 and a portion of lot 7 Blk: 003 NCB: 446

### Legend

- Subject Property (0.3382 Acres)
- 200' Notification Buffer
- Current Zoning
- Requested Zoning Change
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(6/24/2008)

# CASE NO: Z2008212

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Postponed by Applicant on July 10, 2008. Zoning Commission Continuance (Applicant Request) From 8/19/08, 9/16/08, 10/21/08 and November 4, 2008

**Council District:** 1

**Ferguson Map:** 616 F4

**Applicant Name:**  
Gerardo Menchaca

**Owner Name:**  
James Shaw

**Zoning Request:** From "I-1 RIO-2" General Industrial River Improvement Overlay District 2 to "D RIO-2" Downtown River Improvement Overlay District 2.

**Property Location:** Lot 8 and the northeast 44.61 feet of Lot 7, Block 3, NCB 446

702 Broadway

On the northeast corner of Broadway and Brooklyn Avenue

**Proposal:** To allow mixed use development

**Neigh. Assoc.** None

**Neigh. Plan** Downtown Neighborhood Plan

**TIA Statement:** A traffic impact analysis is not required

### Staff Recommendation:

#### River Commission Recommendation:

Since the subject property lies within the River Improvement Overlay District, the San Antonio River Commission is authorized to make a recommendation to the Zoning Commission if it so chooses. The Chairman of the River Commission reviewed the requested rezoning and determined that review by the River Commission was not needed at this time, however the River Commission may review the project at the plan review or permit stage.

#### Consistency with Plan:

The request is consistent with the existing Downtown Neighborhood Plan, which was adopted in 1999.

#### Staff Recommendation:

##### Denial

The subject property is located on the north side of Downtown along the east side of Broadway, on the northeast corner of Broadway and Brooklyn. A law office currently occupies the subject property. The property is adjacent to I-1 zoning to the east and I-1 RIO-2 zoning to the north, south, and west. The surrounding land uses consist of commercial uses to the south; parking lots and a car dealership to the north; commercial, office, and automotive repair uses to the east; and office, automotive paint and body, parking, and vacant uses to the west. The property directly south, located at 630 Broadway, is the subject of a current rezoning case (Z2008211). The base zoning of the subject property converted from the 1938 era "K" district to the current "I-1" district upon adoption of the 2001 UDC. The River Improvement Overlay-2 (RIO-2) district was applied to this property in 2002 by ordinance number 95908. The subject property also lies within the proposed River North Master Plan area where comprehensive efforts are currently underway to embrace this area with pedestrian friendly and mixed use features.

The "D" Downtown zoning district generally allows many retail, service, residential and mixed uses and has less restrictive development standards compared to other conventional zoning districts; of particular note is the unlimited height provision. The maximum height allowed within the "RIO-2" Overlay is 120 feet or 10 stories. Buildings surrounding the subject property are generally between 1 and 3 stories in height.

Staff believes that the requested zoning district is not appropriate for this location because:

# CASE NO: Z2008212

## Final Staff Recommendation - Zoning Commission

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- A. the development standards of the "D" District would allow for development of a size and scale that would be inconsistent with the existing development in the surrounding neighborhood;
- B. the requested "D" District would not be consistent with the zoning of the surrounding area considering that some uses permitted in each district may not be compatible; and
- C. the City is making significant investments in the River North area. The pending River North Plan is intended to support those investments. Consideration should be given to the current planning efforts when considering rezoning the subject property.

**CASE MANAGER :** Jacob Floyd 207-8318

# Neighborhood and Urban Design Division

## Zoning Case Review

**Zoning Case No.:** Z2008212

**Address:** 702 Broadway

**Existing Zoning:** I-1 RIO-2

**Requested Zoning:** D RIO-2

**Registered Neighborhood Association(s):** n/a

**Neighborhood/Community/Perimeter Plan:** Downtown Neighborhood Plan

**Future Land Use for the site:** Mixed Use

### Analysis:

Mixed Use land use provides for a mix of commercial, office and residential uses. The future land use map of the Downtown Neighborhood Plan designates the location of the subject property as being within the "Lower Broadway Neighborhood" which corresponds to district "B." This district promotes mid-to-high-rise mixed use buildings with some entertainment destinations. Mid-rise at 5-stories at a maximum density of 50 units per gross acre; no maximum density limit on high-rise development.

The requested Downtown zoning district has no height limitations and no maximum density. The RIO-2 Overlay district which includes the subject property, allows a maximum height of 120 ft, or 10 stories; however, the RIO ordinance also states that "building heights should be configured such that a comfortable human scale is established around the edges of properties." The "D" zoning category runs contrary to the intent of the RIO, current plans, and planning efforts underway in this area that promote development in support of a pedestrian-oriented environment.

Although the Downtown zoning is encouraged in the City's Business District, which includes the subject property, the current development pattern surrounding the subject parcel largely consists of one-story to mid-rise buildings utilized for industrial and commercial purposes. The Lower Broadway District in the Downtown Neighborhood Plan does address high-rise development, however; it also encourages mid-to-high-rise mixed use buildings with a 5-story maximum density of 50 units per gross acre as well which, would be more appropriate for this area. The proposed zoning is consistent with the "Mixed Use" future land use category however, given the current context and goals of past and current planning efforts, such development intensity and scale would be inappropriate.

The Downtown Neighborhood Plan was adopted in 1999. In 2007, an update to the River North portion of the plan was begun (which encompasses districts A, B, C, and R of the 1999 Plan). The objective of the "River North" plan is to spur revitalization of this area. Little revitalization has occurred in the River North portion since adoption of the Plan in 1999. The River North update has revisited the plan and is working with the public to create a new, implementable vision, for property owners in the area and the City as a whole.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

### Staff Recommendation:

☐ Approval

☒ Denial

☐ Alternative Recommendation:

**Reviewer:** Andrea Gilles

**Title:** Senior Planner

**Date:** 7/2/2008

**Manager Review:** Nina Nixon-Mendez

**Date:** 7/3/2008

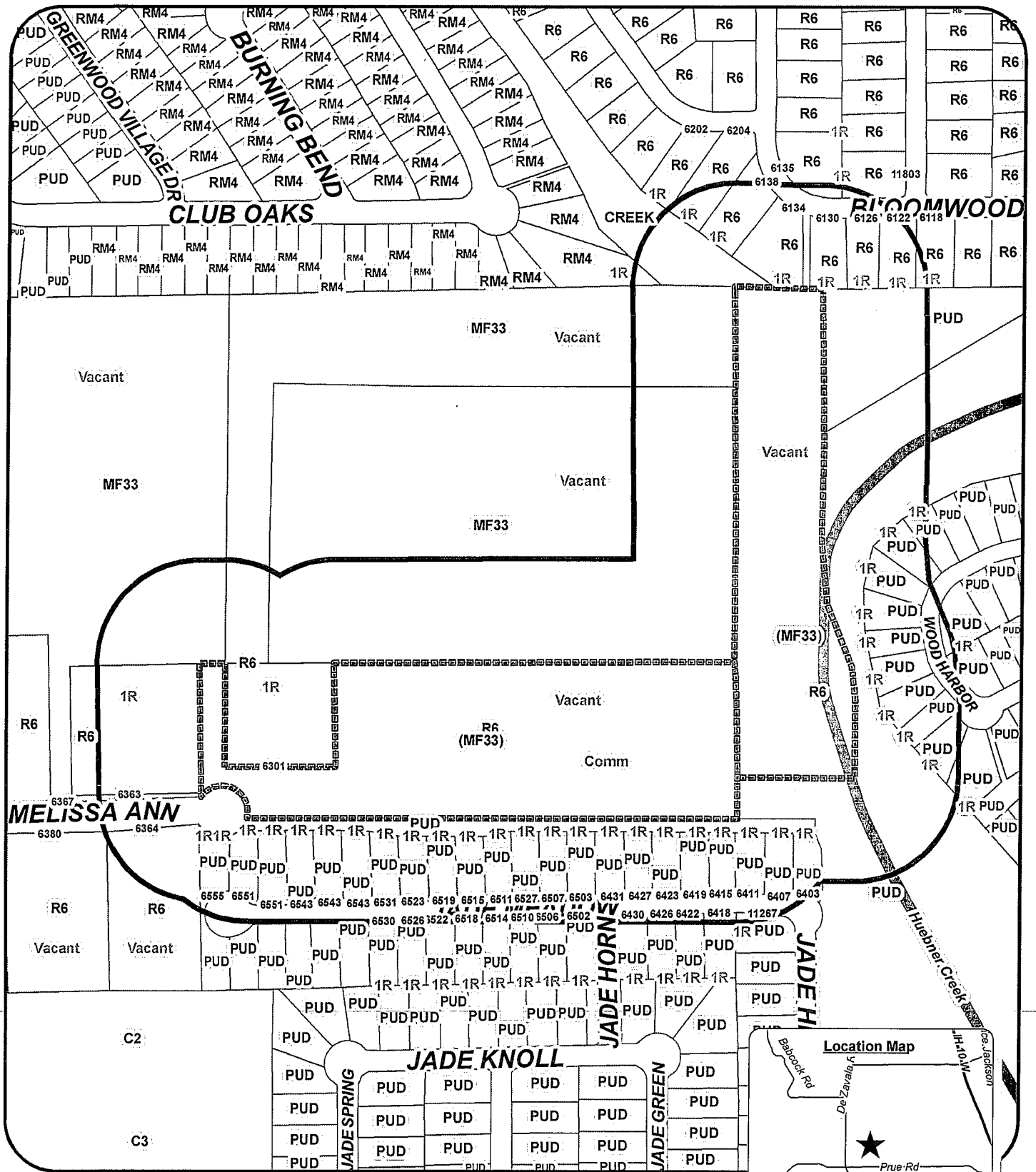
## *San Antonio River: Mission / Vision Statement*

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4. **Adjoining Buildings and Design:** Historical buildings and features along the River will be preserved to help tell the story of what the River has meant to San Antonio over the generations. Where development occurs, buildings will be unique, and incorporate design elements that celebrate the natural or built context of the River at that location.
5. **Private Enterprise:** Policies will encourage existing and new business development and regulate enterprises within these Guiding Principals and Vision.



## Zoning Case Notification Plan

### Case Z-2008-253

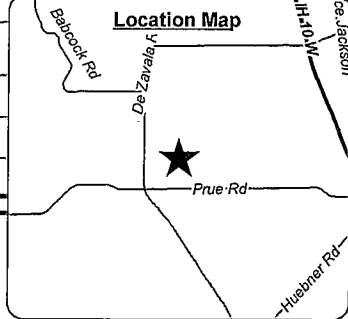
Council District 8

Scale: 1" approx. = 250'

Subject Property Legal Description(s): +/- 10.413 Acres out of NCB 14862 & 17204

#### Legend

- Subject Property (10.413 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(09/03/2008)

# CASE NO: Z2008253

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Zoning Commission continuance (Applicant's Request)  
from October 07, 2008, October 21, 2008, and November  
4, 2008

**Council District:** 8

**Ferguson Map:** 548 B3

**Applicant Name:**  
Brown & Ortiz, P. C.

**Owner Name:**  
Q & M, LLC

**Zoning Request:** From "R-6" Residential Single-Family District to "MF-33" Multi Family District.

**Property Location:** 4.271 acres out of NCB 14862 and 6.142 acres out of NCB 17204

6301 Melissa Ann

At the eastern terminus of Melissa Ann Street, east of the Babcock Road intersection

**Proposal:** To allow for a multi family project

**Neigh. Assoc.** Tanglewood, Woodridge and Jade Oaks Neighborhood Associations, all within 200 feet.

**Neigh. Plan** Tanglewood Neighborhood Plan

**TIA Statement:** Level 1 Traffic Impact Analysis Study can be postponed until platting or permitting

### Staff Recommendation:

The request conforms to the existing Land Use Plan and will not require a Plan Amendment. A finding of consistency is not required because the 1994 plan serves as a guide only. The development of multi-family housing units would be compatible on the remaining land fronting on and at the end of Melissa Ann.

### Approval

The proposed rezoning is for property located on the northwest side of the City of San Antonio at the eastern terminus of Melissa Ann Street, approximately 1000 feet east of the Melissa Ann Street and Babcock Road intersection. The project site was annexed in 1972, totals 10.412 acres and consists of two undeveloped parcels in the Tanglewood Neighborhood Plan area. Following the adoption of the Unified Development Code in 2002, the existing "R-6" Residential Single-Family District converted from the previous "R-1" Residential District. Approximately 1.81 acres of the subject property abutting Huebner Creek, is within the 100 year floodplain. The surrounding zoning consists of "MF-33" Multi-Family District to the north and to the west of the subject property. There is "R-6" Residential Single Family District to the west of the southern parcel. Jade Oaks single family subdivision borders to the south. The eastern parcel is adjacent to Tanglewood single family subdivision to the north and Huebner Creek to the east. Even though the subject property is not within a neighborhood association, Tanglewood, Jade Oaks and Woodridge neighborhood associations are all within 200 feet.

The applicant has applied for "MF-33" Multi-Family District to consolidate the large tracts to the north and west in order to develop a multi-family residential development of approximately 25.63 acres. There are other multi-family zoned parcels in this area and the 1994 Tanglewood Neighborhood Plan calls for multi-family land use for this location. Babcock Road, a Secondary Arterial "Type A", will be accessible either via Melissa Ann Street or through other multi-family zoned parcels, if all these parcels are developed as indicated by the applicant. The existing transportation network and commercial facilities in the area support multi-family uses. The requested "MF-33" Multi-Family District would allow a medium density multi-family use which, based on the factors above, would be appropriate for this location. A small portion of the subject property to the east lies in the flood plain, and may not be able to be developed, but may be left as open space or a park. This case was initiated a few months ago with case number Z2008165. Due to the surrounding neighborhoods' opposition, that case was withdrawn.

**CASE MANAGER :** John Osten 207-2187

## Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2008253

**Address:** 6301 Melissa Ann Street, San Antonio, Texas,

**Existing Zoning:** R6- Residential Single Family District

**Requested Zoning:** MF-33- Multi-Family Residential District

**Registered Neighborhood Association:** Tanglewoodridge Neighborhood Association

**Neighborhood/Community/Perimeter Plan:**  
Tanglewoodridge Neighborhood Plan

**Future Land Use for the site:**

The Tanglewoodridge Neighborhood Plan states that the development of multi-family housing at the end of Melissa Ann Street would be compatible with the desires of the community. (p. 16). There are a number of properties in close proximity to 6301 Melissa Ann Street that currently have multi-family residential and commercial zoning. The proposed rezoning would not present an undue encroachment into existing residential and is supported by the Tanglewoodridge Neighborhood Plan text. The Tanglewood Neighborhood Plan is not a consistency plan, and therefore, does not require a consistency determination. Rather it is a guide for development in the area.

**Other Comments:**

The subject properties are two tracts located at the eastern end of Melissa Ann Street. The properties to the south and east are zoned PUD while the property directly to the north is zoned MF-33. The two properties to the northwest are zoned MF-33. There is a parcel zoned R-6 that appears to be encircled by the subject property which, based on aerial photography, appears to be developed. The subject properties are approximately 10.41 acres in size.

**Analysis:**

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency review not applicable

**Staff Recommendation:**

☒ Approval

☐ Denial

☐ Alternate Recommendation

**Reviewer:** Tyler Sorrells

**Title:** Planner

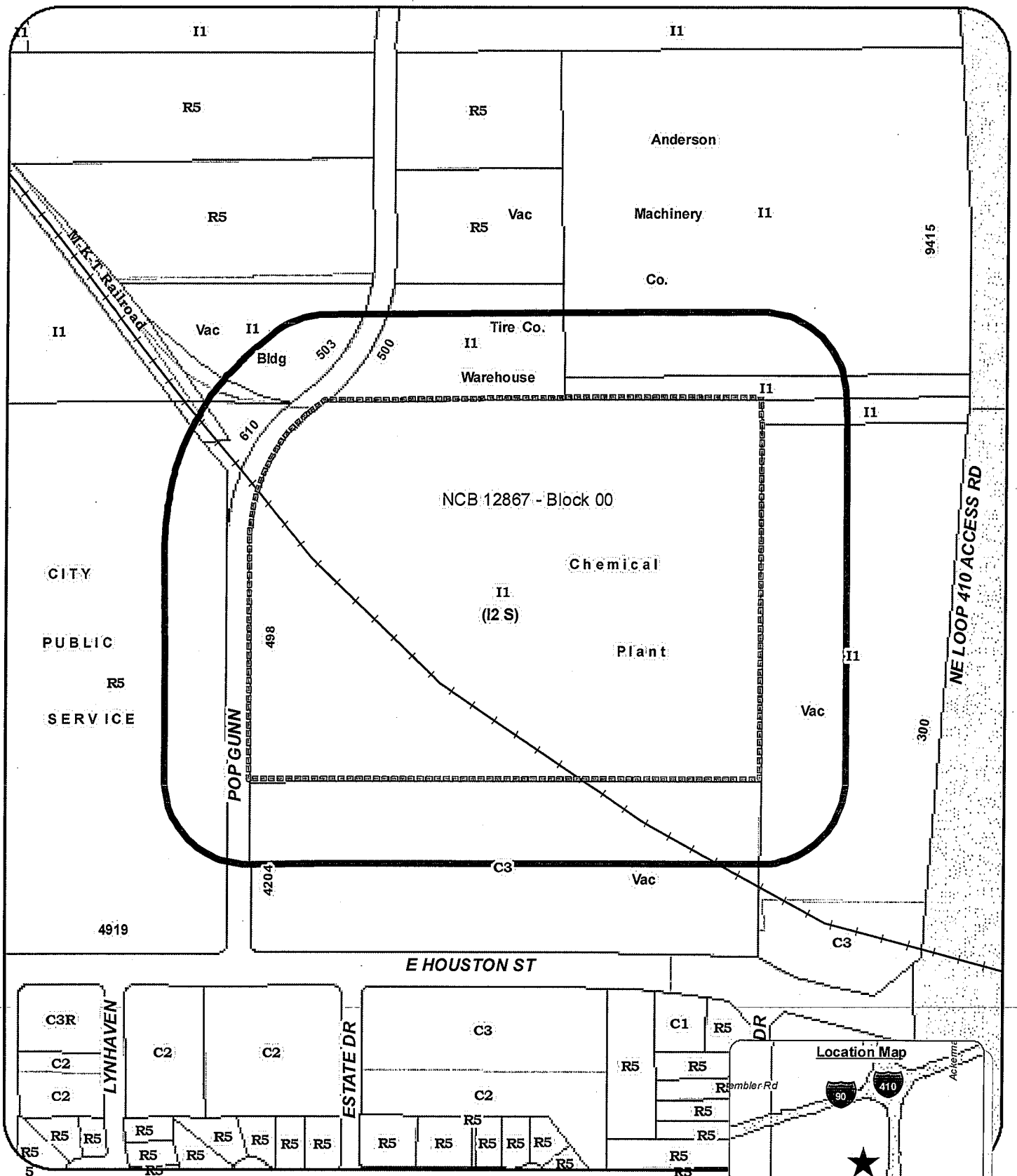
**Date:** 08/18/2008

**Manager Review:** Nina Nixon-Mendez

**Date:** 08/19/2008

07/29/08





## Zoning Case Notification Plan

### Case Z2008-275

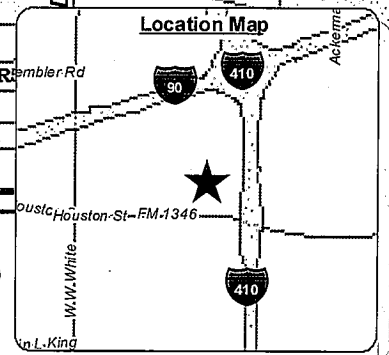
Council District 2

Scale: 1" approx. = 300'

Subject Property Legal Description(s): Lot 25, NCB 12867, Blk 00

#### Legend

Subject Property		(24.94 acres)
200' Notification Buffer		
Current Zoning	I1	
Requested Zoning Change	(I2 S)	
100-Year FEMA Floodplain		



City of San Antonio  
Planning - Development Services Dept.  
09/25/2008  
D. E. Castillo

# CASE NO: Z2008275 S

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Zoning Commission continuance (Applicant's Request)  
from October 21, 2008 and November 4, 2008

**Council District:** 2

**Ferguson Map:** 618 F5

**Applicant Name:**

Brown & Ortiz, P. C.

**Owner Name:**

Flint Hills Resources, L. P.

**Zoning Request:** From "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal.

**Property Location:** Lot 25, NCB 12867

498 Pop Gunn Drive

On the east side of Pop Gunn Drive, north of East Houston Street

**Proposal:** To bring existing facility into conformance and to allow for expansion

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

### Staff Recommendation:

Approval

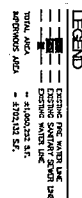
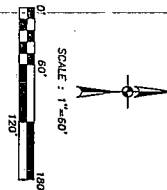
The subject property totals approximately 23.94 acres and is currently occupied by a fuel storage plant and terminal. This property is located on the east side of the City and is near the northeast corner of the Pop Gunn Drive and East Houston Street intersection. This area was annexed into the City on September 19, 1957. The subject property is currently zoned "I-1" General Industrial District and is located within the southwest quadrant of the Interstate IH-10 and Loop 410 intersection, where similar heavy industrial uses exist. There is a concentration of similar fuel storage and terminal uses in the vicinity due to the existing Corpus Christi – San Antonio oil pipeline and other similar infrastructure.

Surrounding uses around the subject property are of an industrial nature. The property to the south is zoned "C-3" and is currently undeveloped. Property to the west, across from Pop Gunn Drive, is zoned "R-5" and occupied by a CPS equipment facility. Properties to the north are zoned "I-1" and occupied by a tire warehouse/wholesale and a machinery company. The property to the east, along the Loop 410 access road, is zoned "I-1" and is currently undeveloped. There are railroad tracks at the north side of the subject property, which are used as an access point for bulk transportation.

The applicant has requested the zoning change in order to bring the existing use into conformity with the current provisions of the Unified Development Code and to enable the owner to add an off-loading facility and additional storage tank. These additions are proposed for ethanol fuel. Under previous zoning regulations, this type of use was a permitted use in the "I-1" Light Industry district. The current Unified Development Code requires that the bulk plant and terminal use be permitted only in the "I-2" Heavy Industrial District with the approval of a Specific Use Authorization. The application of zoning is designed to concentrate similar districts and uses and to prevent conflicts between incompatible uses.

**CASE MANAGER :** John Osten 207-2187

Date: Oct 30, 2008, 11:17am User ID: Ralp  
File: P:\72\10\00\Design\Cabinis\000918-Runf HILLS SITE PLAN.dwg



555 EAST RIMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000



## Zoning Case Notification Plan

### Case Z2008-282

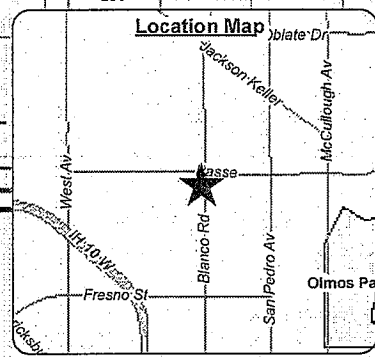
Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 17, NCB 9764, Blk 3

#### Legend

- Subject Property 0.00 acres
- 200' Notification Buffer
- Current Zoning **R4**
- Requested Zoning Change **(C2 P)**
- 100-Year FEMA Floodplain



City of San Antonio  
Planning - Development Services Dept.  
10/13/2008  
D.E. Castillo

# CASE NO: Z2008282

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Zoning Commission continuance (Applicant's Request) from  
October 21, 2008.

**Council District:** 1

**Ferguson Map:** 582 C4

**Applicant Name:**

Ivan Cortes

**Owner Name:**

Ivan Cortes

**Zoning Request:** From "R-4" Residential Single-Family District to "C-2P" Commercial Pedestrian District.

**Property Location:** Lot 17, Block 3, NCB 9764

802 La Manda Boulevard

At the southwest corner of La Manda Boulevard and Blanco Road

**Proposal:** To allow a restaurant

**Neighborhood Association:** Northwest Los Angeles Heights Neighborhood Association; Northmoor  
Neighborhood Association is within 200 feet

**Neighborhood Plan:** Greater Dellview Area Community Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

**Staff Recommendation:**

Consistent

The Greater Dellview Community Plan encourages Neighborhood Commercial Uses to be located at intersections of residential streets and arterials, and within walking distance of neighborhood residential areas, or along arterials where already established. The existing Land Use designation supports the request made by the applicant. A Land Use Plan Amendment will not be required for this request, and staff supports the zoning change as submitted.

Approval

The subject property was annexed in July 1949 and totals approximately 0.1505 acres. There is an existing single-family dwelling on the subject property that measures approximately 6555 square feet and was constructed in 1959. In 2002 following the adoption of the Unified Development Code, the existing "R-4" Residential Single-Family District converted from the previous "B" Residence District. "C-2" Commercial District zoning currently exists to the south of the subject property and across Blanco Road to the east. Property to the north across La Manda Boulevard is zoned "C-3NA" General Commercial District, Nonalcoholic Sales; property to the west is zoned "R-4" Residential Single Family District. Single-family dwellings are located immediately to the west of the subject property, with a multi-family apartment complex located to the south, and a hair salon to the north across La Manda Boulevard. There are various retail uses to the east across Blanco Road.

The applicant has applied for "C-2P" in order to operate a small restaurant. The subject property is located on the southwest corner of La Manda Boulevard and Blanco Road, and there are numerous commercial uses along Blanco Road beginning at the intersection of Blanco Road and Basse Road. The maximum front setback in a "C-2P" district is thirty-five (35) feet to accommodate and encourage pedestrian activity and discourage front yard parking lots. This zoning category is identical to the "C-2" designation with the exception of the maximum setback. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**CASE MANAGER :** Pedro Vega 207-7980

## Neighborhood and Urban Design Division Zoning Case Review

Zoning Case No.: Z2008282

Existing Zoning: R-4

Requested Zoning: C-2P

Registered Neighborhood Association(s): Northwest Los Angeles Heights

Neighborhood/Community/Perimeter Plan: Greater Dellview Area Community Plan

Future Land Use for the site: Neighborhood Commercial

### Other Comments:

The subject property is located on a corner lot; along Blanco Road, a neighborhood commercial corridor.

### Analysis:

The applicant is requesting a zoning change from R-4 to C2P to allow a "small restaurant". The property is located in the Northwest Los Angeles Heights Neighborhood Association, and within the Greater Dellview Area Community Plan. Although the subject property is zoned R-4 for low density residential uses, the future land use category is Neighborhood Commercial. Single family residences are immediately to the west of the property, a multi-family apartment complex is to the south, a hair salon to the north, and various retail shops to the east. Restaurants and neighborhood commercial uses line Blanco Avenue, serving as a buffer to the low density residential uses to the interior of both sides of Blanco Avenue.

The Greater Dellview Community Plan encourages Neighborhood Commercial Uses to be located at intersections "of residential streets and arterials, and within walking distance of neighborhood residential areas, or along arterials where already established." This portion of Blanco Avenue is identified as a Secondary Arterial Type B in the Major Thoroughfare Plan.

The existing Land Use designation supports the request made by the applicant. Although a Land Use Plan Amendment will not be required for this request, staff supports the zoning change as submitted.

☒ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing.

### Staff Recommendation:

☐ Approval pending a plan amendment

☐ Denial

☒ Alternate Recommendation:

This request does not require a Plan Amendment to remain consistent with the Community Plan. Staff supports the zoning request from R-4 to C-2P.

Reviewer: Gary Edenburn

Title: Senior Planner

Date: 10/09/08

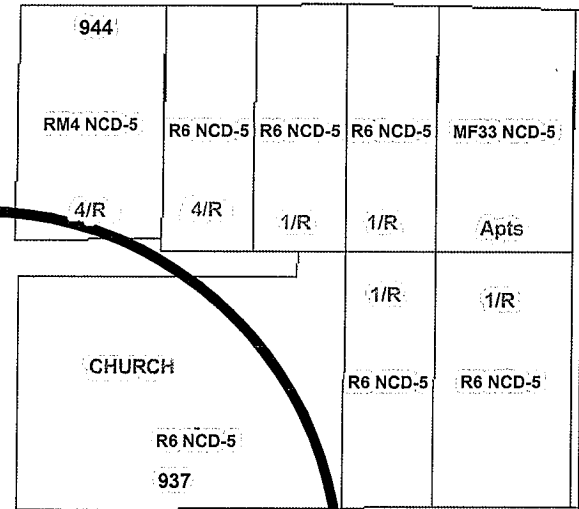
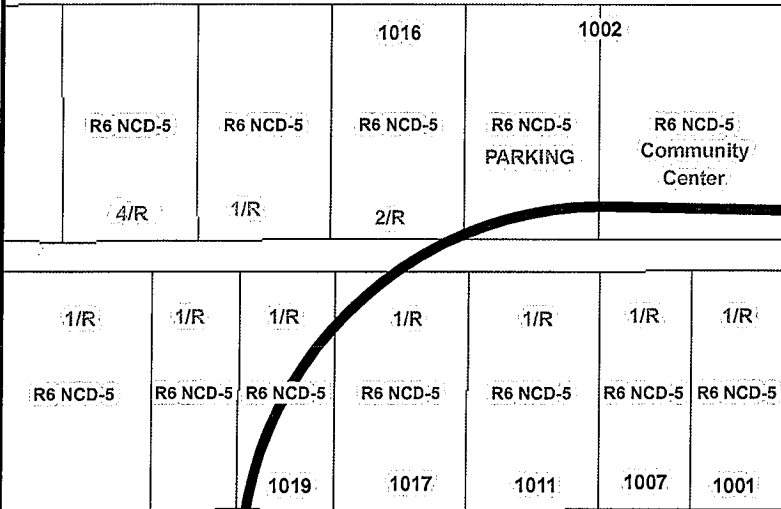
Manager Review: Nina Nixon-Mendez

Title: Planning Manager

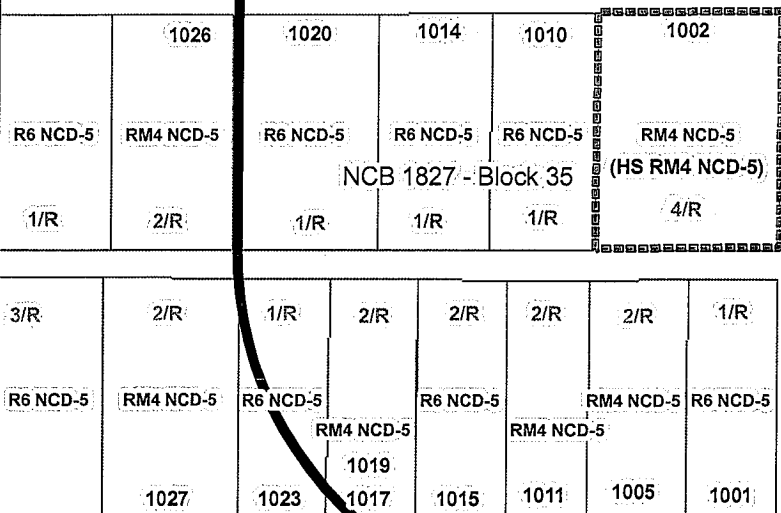
Date: 10/09/08

03/28/2008

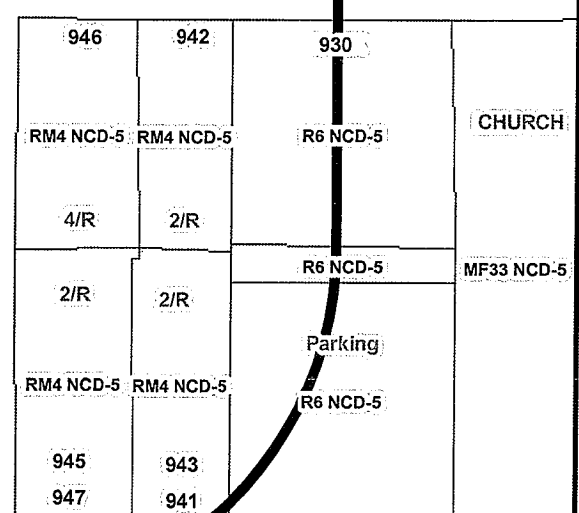
# W Huisache Ave



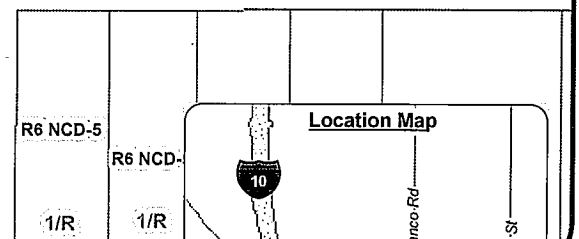
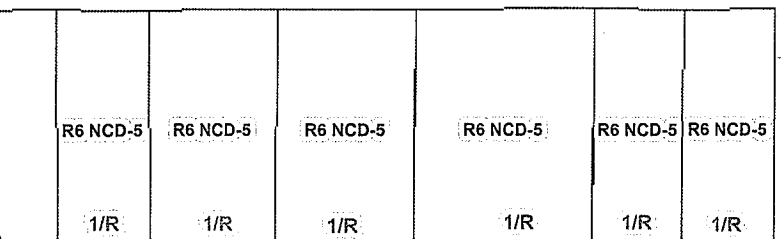
# W Magnolia Ave



Grant Ave



# W Mistletoe



## Zoning Case Notification Plan

### Case Z2009005

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lots 20,21,22,23, Block 35, NCB 1827

#### Legend

- Subject Property (0.287 acres)
- 200' Notification Buffer
- Current Zoning RM4 NCD-5
- Requested Zoning Change (HS RM4 NCD-5)
- 100-Year FEMA Floodplain



City of San Antonio  
Planning - Development Services Dept.  
10/15/2008  
D. E. Castillo

# CASE NO: Z2009005

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

Zoning Commission continuance (Commissioner's Request) from November 04, 2008

**Council District:** 1

**Ferguson Map:** 616 D1

**Applicant Name:**

**Owner Name:**

COSA Historic Preservation Office

Raymond E. Carranza

**Zoning Request:** From "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District.

**Property Location:** Lots 20, 21, 22, and 23, Block 35, NCB 1827

1002 West Magnolia

On the southwest corner of W Magnolia Avenue and Grant Avenue

**Proposal:** To designate as Historic Significant

**Neigh. Assoc.** Beacon Hill Neighborhood Association

**Neigh. Plan** Midtown Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

### Staff Recommendation:

A finding of consistency is not required because there is no change to the base zoning district. The Midtown Neighborhood Plan designates Low Density Residential as the future land use for the subject property.

### Approval.

The subject property, located on the southwest corner of West Magnolia Avenue and Grant Avenue, is approximately 0.287 acres in size. The existing multi-family residence and garage apartment measure approximately 4,800 square feet, and were built circa 1910. Currently, the subject property consists of 4 dwelling units: three in the main house, and one accessory dwelling. Upon adoption of the 2001 Unified Development Code, the existing "RM-4" Residential Mixed District converted from the previous "R-2" Two Family Residence District. The Beacon Hill Area Neighborhood Conservation District was created in December 2005. Surrounding zoning includes "R-6 NCD-5" Residential Single-Family Beacon Hill Area Neighborhood Conservation District and "RM-4 NCD-5" Residential Mixed Beacon Hill Area Neighborhood Conservation District in all directions; with a few "MF-33 NCD-5" Multi-Family Beacon Hill Area Neighborhood Conservation District zoned lots to the east of the subject property. Surrounding land uses include a mix of single-family homes, duplexes, triplexes, and quadplexes; with two apartment buildings to the northeast. Additionally, there are three churches and an affiliated community center in the vicinity.

The Historic Preservation Office requested a finding of Historic Significance based on the evaluation criteria in Section 35-607 for the Designation of Historic Districts and Landmarks. On September 3, 2008, the Historic and Design Review Commission agreed with the Historic Preservation Office and is recommending approval of a finding of Historic Significance based on the following criteria:

1. The property's embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction, or use of indigenous materials;
2. the property's unique location or singular physical characteristics that make it an established or familiar visual feature; and



# **CASE NO: Z2009005**

## **Final Staff Recommendation - Zoning Commission**

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3. the property's historical, architectural, or cultural integrity of location, design, materials, and workmanship.

Acting as the applicant for the zoning case, the Historic Preservation Office requests a zoning change to "HS RM-4 NCD-5" Historic Significant Residential Mixed Beacon Hill Area Neighborhood Conservation District. As there is no proposed change to the land use of the subject property, Planning and Development Services Department staff recommends approval. The property owner has not indicated support or opposition to this designation.

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

**CASE MANAGER :** Micah Diaz 207-5876

## Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009005

**Address:** 1002 W. Magnolia #1

**Existing Zoning:** RM-4 NCD-5

**Requested Zoning:** RM-4 HS NCD-5

**Registered Neighborhood Association(s):** Beacon Hill Neighborhood Association

**Neighborhood/Community/Perimeter Plan:** Midtown Neighborhoods Plan

**Future Land Use for the site:** Low Density Residential

### Analysis:

The subject parcel is designated Low Density Residential in the Midtown Neighborhoods Land Use Plan. The surrounding land use designations are also Low Density Residential. One of this neighborhoods' highest priorities is to conserve the existing housing stock and character of the area (pg. 43). Objective 2.2 of the Plan is to "Maintain the historic character of the neighborhoods' housing while building on the increased demand for area homes to attract reinvestment by new families" (pg. 35). Action 2.2.1 builds upon this through the recommendation to "investigate historic and/or conservation districts to maintain the style and character of the area's housing" (pg. 35).

The City's Historic Division staff completed an analysis of the integrity of the property and found this property to be of Historical Significance. As part of the recommendation to HDRC, Historic staff states that the house is a "representative example of Classical Revival style" and that "as one of the two oldest structures on the street, the house remains a significant example of initial housing types constructed in the neighborhood".

San Antonio Master Plan Policies also address historic preservation by stating as a goal to "preserve and enhance the City's historic resources" (pg. 44). Additionally the Master Plan maintains that, urban design goals should reflect "enhancement of the City's important historic and cultural characteristics" (pg. 42). Granting this request would satisfy goals and objectives established in the San Antonio Master Plan Policies and the Midtown Neighborhoods Plan.

The base zoning is not changing; therefore a finding of consistency with the Land Use Plan is not required. Staff defers to Historic Staff determination and Master and Neighborhood Plan goals, and supports a recommendation of approval.

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing

### Staff Recommendation:

☒ Approval

☐ Denial

**Reviewer:** Andrea Gilles

**Title:** Sr. Management Analyst

**Date:** 10/07/08

**Manager Review:** Nina Nixon-Mendez

**Date:** 10/09/08

A RESOLUTION 2008-10-02-0047R

**DIRECTING PLANNING AND DEVELOPMENT SERVICES  
DEPARTMENT STAFF TO INITIATE A CHANGE IN THE ZONING  
DISTRICT BOUNDARY OF PROPERTY LOCATED AT 1002 W  
MAGNOLIA DRIVE AS HISTORIC SIGNIFICANT.**

\* \* \* \* \*

**WHEREAS**, the Historic and Design Review Commission approved a finding of Historic Significance and the Historic Preservation Office is requesting concurrence from City Council to move forward with the Historic Designation of 1002 W. Magnolia Drive; and


**WHEREAS**, City Council desires to initiate a change in the zoning district boundary of property to a zoning district compatible with current use and the surrounding area in accordance with Chapter 211 of the Texas Local Government Code and Article III of the San Antonio Unified Development Code; **NOW THEREFORE**;

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

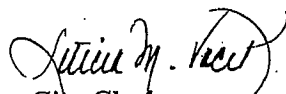
**Section 1.** The City Council hereby directs City Staff to initiate a change in the zoning district boundary of property located at 1002 W. Magnolia Drive to Historic Significant.

**Section 2.** This Resolution shall be effective on October 12, 2008.

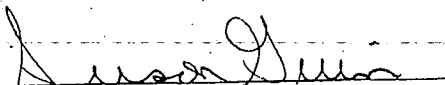
**PASSED AND APPROVED** this 2nd day of October, 2008.

  
M A Y O R  
PHIL HARDBERGER

ATTEST:

  
City Clerk

APPROVED AS TO FORM: \_\_\_\_\_

  
City Attorney  
for



22009005

## CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION  
CERTIFICATE OF APPROPRIATENESS

September 03, 2008

HDRC CASE NO: 2008-268

ADDRESS: 1002 W. Magnolia Ave.

LEGAL DESCRIPTION: NCB 1827 BLK 35 LOT 20 AND 21, 22, 23

PUBLIC PROPERTY:  
HISTORIC DISTRICT: Monticello Park Historic District  
LANDMARK DISTRICT:

APPLICANT: City of San Antonio, P.O. Box 839966  
Historic Preservation

OWNER: Raymond E Raymond

TYPE OF WORK: Finding of Historic Significance

## REQUEST:

The applicant is requesting a Certificate of Appropriateness for a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Significant for the property at 1002 W Magnolia Ave.

SIGNIFICANCE STATEMENT ON THE PROPERTY LOCATED  
AT 1002 W. MAGNOLIA

The property at 1002 W. Magnolia is located within Beacon Hill Tract 3 and is part of the Beacon Hill Area Neighborhood Conservation District (NCD). The Beacon Hill neighborhood was initially platted in 1907. The first "addition" was incorporated in 1908, with Tracts 2 and 3 following soon after. The last two tracts were composed of smaller, more affordable lots, "where fortune smiles on the man of limited means." Beacon Hill developed as one of several early twentieth-century suburbs spawned by the burgeoning streetcar system (<http://www.mysanantonio.com/news/metro/stories>). The neighborhood today is composed of a variety of housing styles including Neoclassical, Folk Victorian, and Spanish Eclectic, with a proliferation of Craftsman-style bungalows. The property at 1002 W. Magnolia is located on the south side of the street between Grant and Michigan Avenues. The house and a small rear outbuilding appear on the 1911 Sanborn map as one of only two dwellings constructed on the block. City directories identify John and Alice B. Jackson as the owners in 1915, still with only one other home occupied on the block. J.M. Trosper was the homeowner in 1927-28, and by that time six additional houses had been built.

The Neoclassical-style residence at 1002 W. Magnolia was constructed circa 1910. The two-and-a-half-story frame house features a hipped roof with two-story front, side,

and rear-gabled projections, minimal wooden eave brackets, and a standing-seam metal roof. The two-story rear ell is not identified on the 1911 Sanborn map and appears to have been added ca. 1925. A two-story porch wraps around the façade and east side elevation. The porch features fluted Ionic columns and a wooden balustrade at the second floor. The balustrade on the first floor of the porch has been removed. The front and side projections from the main block appear to have originally been part of the open front porch (according to the 1911 Sanborn map) but have been enclosed. The gently curved bays of the enclosures are flanked by full-height engaged Ionic columns. Small Palladian-motif windows are located in the gable ends. The house is sheathed in wood clapboard siding, and a wide wood band molding separates the first and second floors. Fenestration includes both single and paired windows. A small, hipped-roof Officer outbuilding is located behind the house and appears to be the same structure identified on the 1911 Sanborn map.

The house is sited on a prominent corner lot at W. Magnolia and Grant Avenue. It is one of several two-story residences on the block, with the balance composed of bungalows and small circa 1920s single-story houses. As one of the two oldest structures on the street, the house remains a significant example of initial housing types constructed in the neighborhood. It is a good and representative example of the Classical Revival style popular in the early decades of the twentieth century and is distinguishable as an earlier house type among the larger number of 1920s bungalows within the neighborhood.

#### RECOMMENDATION:

The staff recommends approval of this request for a Finding of Historic Significance. Staff has determined that the building at 1002 W. Magnolia qualifies for historic landmark status based on the following criteria:

- Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, or method of construction, or use of indigenous materials (35-607(b)(5));
- Its unique location or singular physical characteristics that make it an established or familiar visual feature (35-607(b)(7));
- Its historical, architectural, or cultural integrity of location, design, materials, and workmanship (35-607(b)(8));

#### COMMISSION ACTION:

Approval of a Finding of Historic Significance and a recommendation from the Historic Design Review Commission to the Zoning Commission and the City Council for designation of Historic Significance for the property at 1002 W Magnolia Ave.



Kay Hinds  
Interim Historic Preservation

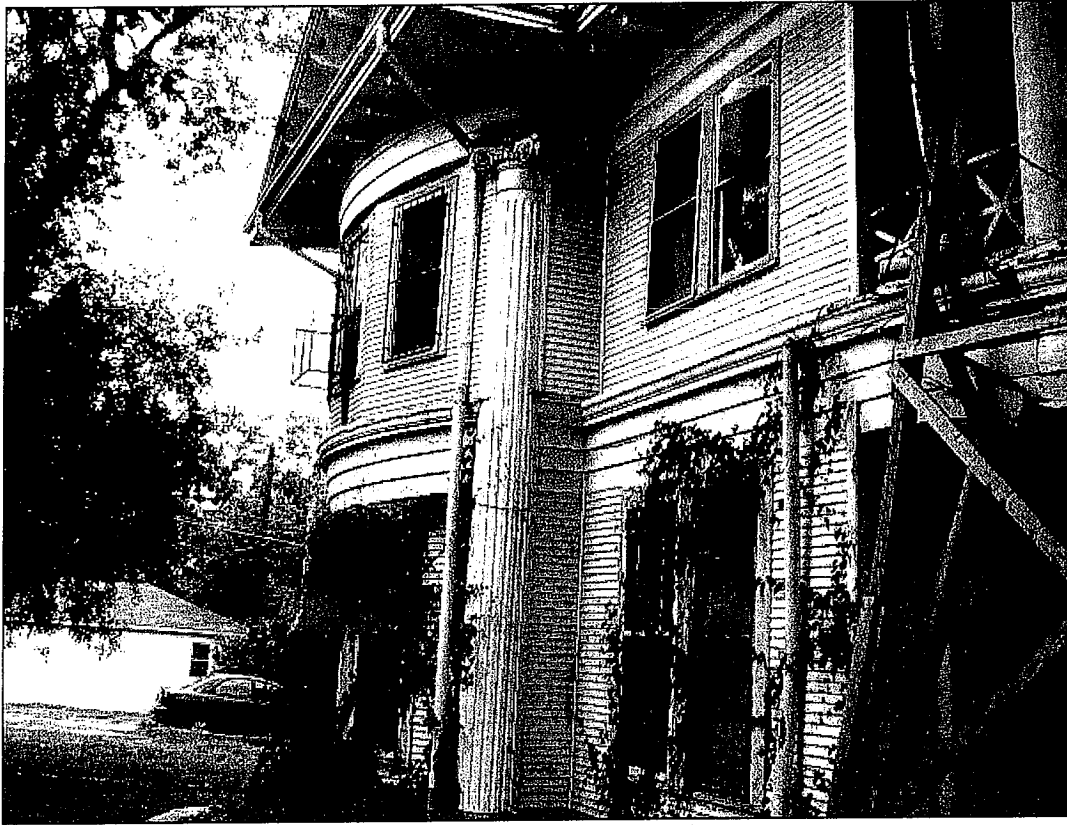
Z2009005

1002 W. Magnolia



Z2009005

1002 W. Magnolia



NP-10 S

C3R

I1

R6

Drainage

C2

Easement

C3R

Drainage I1  
Easement

R6

Vac

Vac

C2

NCB 13945 - Block 3

Vac

C2

1531

(R5)

Vac

C2

1535

Vac

C2

1534

S. Callaghan Rd

Vac

C3R

I1

Mayo St.

5622

5618

5614

5610

1/R

C2

1603

1/R

C2

1607

1/R

R4

1611

R6

R6

R6

C2NA

Vac

## Zoning Case Notification Plan

### Case Z2009-002

Council District 6

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lot 40, NCB 13945, Blk 3

#### Legend

Subject Property (0.1469 acres)

200' Notification Buffer

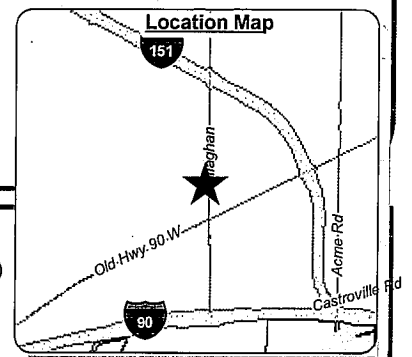
Current Zoning

C2

Requested Zoning Change

(R5)

100-Year FEMA Floodplain



City of San Antonio  
Planning - Development Services Dept.  
10/13/2008  
D. E. Castillo



# CASE NO: Z2009002

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

**Council District:** 6

**Ferguson Map:** 614 C6

**Applicant Name:**

Patricia F. Lopez

**Owner Name:**

Patricia F. Lopez

**Zoning Request:** From "C-2" Commercial District to "R-5" Residential Single Family District.

**Property Location:** Lot 40, Block 3, NCB 13945

1535 South Callaghan Road

On the west side of South Callaghan Road, north of Mayo.

**Proposal:** To allow the reconstruction of a single family residence.

**Neigh. Assoc.** Community Workers Council is within 200 feet.

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

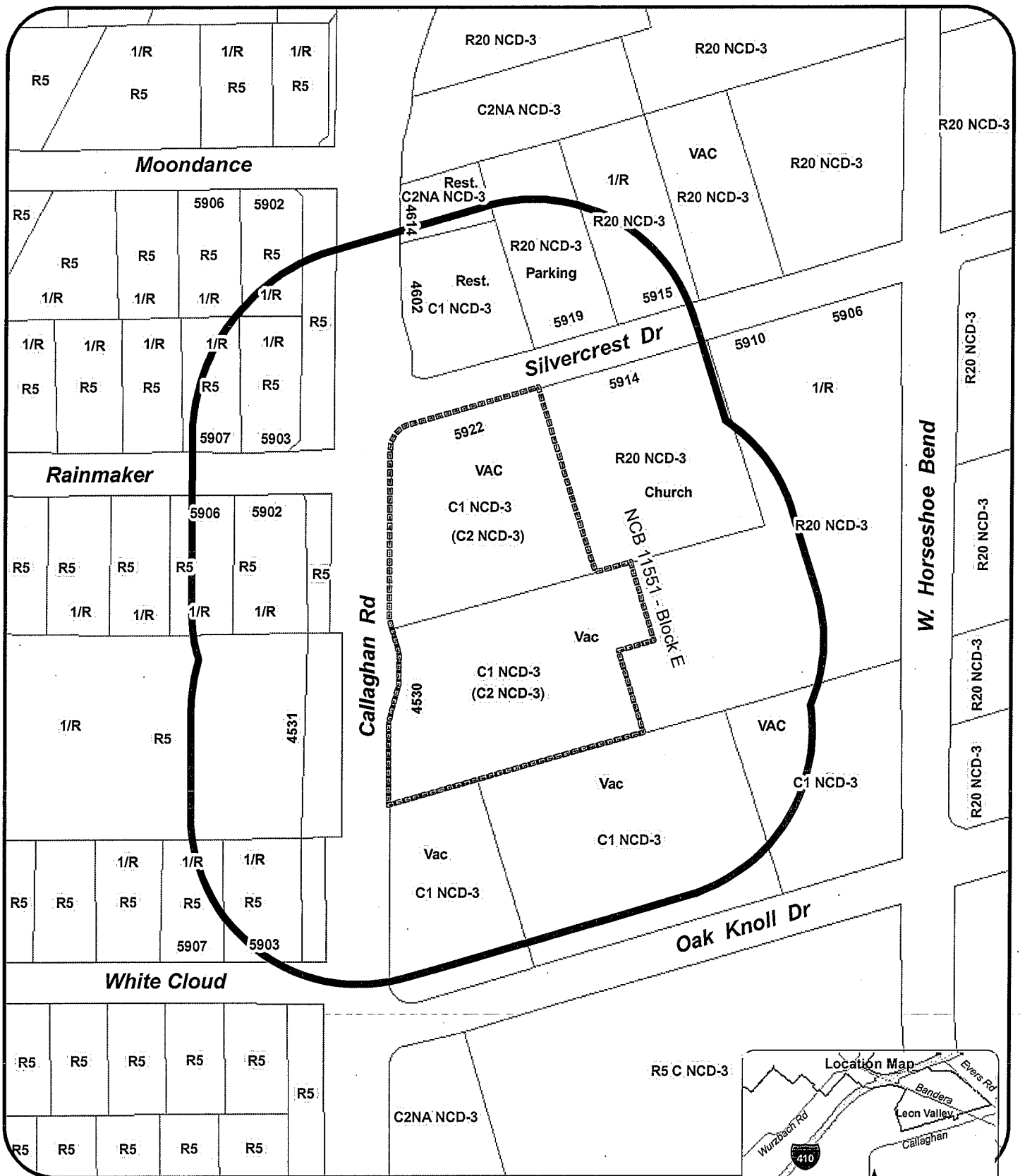
**Staff Recommendation:**

Approval

The subject property consists of vacant land with frontage on South Callaghan Road. The property is adjacent to C-2 zoning to the north and south, R-6 zoning to the west and C-3 and I-1 zoning to the east. The surrounding land uses consist of vacant land and a drainage easement to the north; residential dwellings to the west and south and vacant land to the east. Upon adoption of the 2001 Unified Development Code, the existing C-2 Commercial District converted from the previous B-2 Business District. The property to the south, which is located at 1611 South Callaghan Road, was the subject of rezoning case (Z2002223) in which the applicant was granted a zoning change from C-3 NA General Commercial District, Non-Alcoholic Sales to R-4 Residential Single-Family District to allow the reconstruction of a residential dwelling.

The applicant is receiving housing assistance from the City of San Antonio Owner Occupied Rehabilitation/Reconstruction Program and is requesting a zoning change to reconstruct a single-family residential dwelling. Rezoning the subject lot from commercial to residential would allow the redevelopment of a home on this site. Staff finds the request for residential zoning to be appropriate given the prevalence of residential dwellings to the west and south. Residential zoning on the subject lot would be more compatible with existing nearby uses as surrounding lots along this segment of Callaghan Road are developed with residential uses. Furthermore, the requested R-5 Residential Single-Family District is a down zoning from the existing C-2 Commercial District; retaining commercial zoning at this site would only perpetuate commercial development in a strip fashion on this segment of Callaghan Road. Residential Single-Family Districts are encouraged in areas where adequate public facilities and services exist with the capacity to serve development. The site is located in an area where there is accessibility to commercial facilities and traffic circulation to major thoroughfares; Old US Highway 90 West (a Freeway) to the south as well as State Highway 151 (a Freeway) to the north.

**CASE MANAGER :** Brenda Valadez 207-7945



## Zoning Case Notification Plan

### Case Z2009003

Council District 7

Scale: 1" approx. = 150'

Subject Property Legal Description(s): Lots 274, 275, 281, and 282, Block E, NCB 11551

#### Legend

Subject Property	===== (2.56 acres)
200' Notification Buffer	=====
Current Zoning	C1 NCD-3
Requested Zoning Change	(C2 NCD-3)
100-Year FEMA Floodplain	=====



City of San Antonio  
Planning - Development Services Dept.  
10/13/2008  
D. E. Castillo

# CASE NO: Z2009003

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

**Council District:** 7

**Ferguson Map:** 580 C6

**Applicant Name:**

**Owner Name:**

Donald Oroian, P. E., President, ADA  
Consulting Group, Inc.

Villamar, Inc.

**Zoning Request:** From "C-1 NCD-3" Light Commercial, Ingram Hills Neighborhood Conservation District to "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District.

**Property Location:** Lots 274, 275, 281 and 282, Block E, NCB 11551, save and except the part of said lots conveyed to the City of San Antonio in Volume 10700, Page 313, Real Property Records, Bexar County, Texas

4530 Callaghan Road and 5922 Silvercrest Drive

Located at the southeast corner of Callaghan Road and Silvercrest Drive

**Proposal:** To allow a medical clinic

**Neigh. Assoc.** Ingram Hills Neighborhood Association; Thunderbird Hills Neighborhood Association is within 200 feet

**Neigh. Plan** Woodlawn Hills/Ingram Hills Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

### Staff Recommendation:

The Woodlawn Hills/Ingram Hills Neighborhood Plan does not include a future land use plan. However, staff recommends denial based on the Plan's stated goal of rezoning the properties "along Callaghan Road to post-1965 zoning classification 'B-1'" which later converted to "C-1" in 2002.

### Denial.

The subject property is located at the southeast corner of Callaghan Road and Silvercrest Drive, and is currently undeveloped. The subject property was annexed in 1952, per ordinance 18115, and is approximately 2.56 acres in size. Upon annexation, the subject property was zoned "A" Single Family Residence District. In 1974, a portion of the property was rezoned to "B-2" Business District; and in 1975, the remainder of the property was rezoned to "B-1" Business District. Upon the adoption of the 2001 Unified Development Code, the previous "B-1" and "B-2" zoning districts converted to "C-1" Light Commercial District and "C-2" Commercial District, respectively. In a 2002 City-initiated rezoning case, the subject property was zoned entirely to "C-1" in order to implement the Woodlawn Hills/Ingram Hills Neighborhood Plan. In 2004, the Ingram Hills Neighborhood Conservation District was created, per ordinance 99689. Surrounding zoning includes "R-20 NCD-3" Residential Single-Family Ingram Hills Neighborhood Conservation District to the east and northeast; "C-1 NCD-3" directly to the north and south, with "C-2NA NCD-3" Commercial Nonalcoholic Sales Ingram Hills Neighborhood Conservation District farther to the north and south along Callaghan Road; and "R-5" Residential Single-Family District to the west across Callaghan Road. Surrounding land uses include restaurants, parking, and single-family homes to the north and northeast; a church, single-family homes, and undeveloped land to the east and south, with a dental office and retirement community farther to the south; and single-family homes to the west across Callaghan Road.

Staff finds the requested zoning to be inappropriate, as it would allow commercial uses and building guidelines too intense for the location and out of character with the existing Neighborhood Plan. The applicant's stated

# **CASE NO: Z2009003**

## **Final Staff Recommendation - Zoning Commission**

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purpose for the requested zoning change is to develop "one or more buildings to exceed 5,000 square feet, with associated drives, parking and utilities." The existing "C-1" zoning allows low-intensity uses while requiring a smaller building size, rear parking, and a maximum front building setback. Although limited to a 5,000 square foot building footprint, "C-1" also allows for multiple buildings with an aggregate footprint of 15,000 square feet. "C-2" allows more intense commercial uses and larger buildings with no maximum front setback.

Additionally, "C-2" allows community commercial uses, which should be located in commercial nodes near major intersections. Callaghan Road is a Secondary Arterial "Type A" thoroughfare and Silvercrest Drive is classified as a local road. An existing commercial node is located approximately one-third of a mile south of the subject property, at the intersection of Callaghan and Ingram roads.

Staff believes the current zoning is appropriate for the subject property and suitable to the applicant's proposed use (medical facility), while the requested zoning would allow both uses and development standards which are uncharacteristic of this location.

**CASE MANAGER :** Micah Diaz 207-5876

## Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009003

**Address:** 4530 Callaghan

**Existing Zoning:** C1 NCD-3

**Requested Zoning:** C2 NCD-3

**Registered Neighborhood Association(s):** Ingram Hills; Thunderbird Hills (within 200 feet)

**Neighborhood/Community/Perimeter Plan:** Woodlawn Hills / Ingram Hills Neighborhood Plan

**Future Land Use for the site:** No Future Land Use in Plan

**Analysis:** The subject property is a nearly 2.5 acre parcel situated southeast of the intersection of Callaghan Road and Silvercrest Drive, on the edge of the Woodlawn Hills / Ingram Hills Neighborhood Plan area. The property to the north is zoned C1 NCD-3 and is occupied by a commercial building. The property to the northeast is zoned R-20 NCD-3 and is occupied by a church. The property to the southeast is zoned R-20 NCD-3 and the property to the south is zoned C1 NCD-3; both are vacant and heavily wooded. The properties to the west (across Callaghan Road) are zoned R-5 and are occupied by single-family residences. These residences front local, interior streets and are separated from Callaghan Road by a series of slip roads. The subject property is within the Ingram Hills Neighborhood Conservation District (NCD-3). The vast majority of the site and building design requirements required by this NCD apply only to properties with residential zoning.

The Woodlawn Hills / Ingram Hills Neighborhood Plan does not include a future land use map, but the plan "may be considered as a guide in evaluating a comprehensive rezoning or a rezoning request" (UDC 35-420(h)(2)). Although the Plan does not include a future land use map, the Land Use/Zoning recommendations include "Encourage the City to rezone the pre-1965 zoning classification "A" along Callaghan Road to post-1965 zoning classification "B-1." The subject property is within the area described by this recommendation. This rezoning was undertaken, with the "B-1" zoning converting to "C-1" zoning when the current zoning classification system was adopted in 2002. The existing C-1 zoning is roughly equivalent to the previous B-1 zoning and, as such, is in keeping with the recommendations contained in the Plan.

The applicant is requesting C-2 NCD-3 zoning. C-2 zoning allows for community commercial uses. Community commercial uses should be located in a nodal fashion, near the intersection of collectors and arterials, or the intersection of two arterials, or along arterials or higher order streets where already established. The subject property has frontage on Callaghan Road, which is a Secondary Arterial Type A. The closest intersection with an arterial, Ingram Road, is approximately 0.3 miles south of the subject property. This location is more appropriate for C-1 zoning, which allows for neighborhood commercial uses. Neighborhood Commercial uses should be located at the intersection of collector streets and higher order streets within walking distance of neighborhood residential areas. The C-1 zoning district limits the size of commercial buildings and includes a maximum front setback to ensure the scale is compatible with adjacent residences and the design is pedestrian accessible. Based on the recommendations in the Woodlawn Hills / Ingram Hills Neighborhood Plan and the location of the subject property, Staff finds the zoning request to be incompatible and recommends denial so that the existing C-1 zoning is retained.

☐ Request conforms to Land Use Plan ☐ Request does not conform to Land Use Plan

☐ Consistency not required because base zoning not changing

☒ No Future Land Use in Plan

**Staff Recommendation:**

☐ Approval

☒ Denial

☐ Alternate Recommendation:

**Reviewer:** Michael Taylor

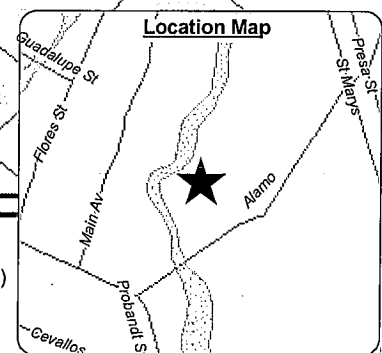
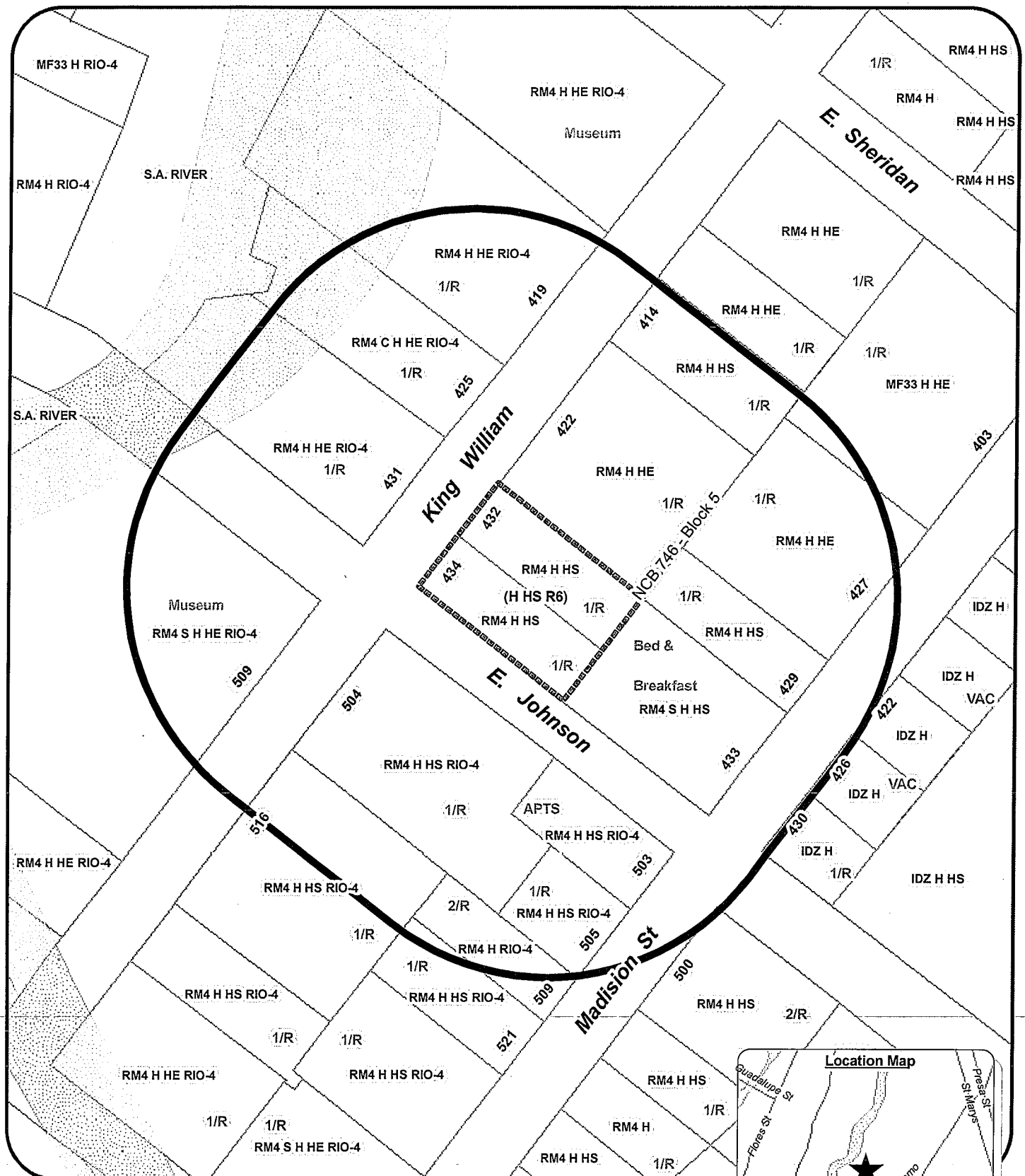
**Title:** Senior Planner

**Date:** 10/08/08

**Manager Review:** Nina Nixon-Mendez

**Date:** 10/09/08

12/30/04



## Zoning Case Notification Plan

### Case Z2009007

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Lots 17 and 18, Block 5, NCB 746

#### Legend

Subject Property	===== (0.326 acres)
200' Notification Buffer	—————
Current Zoning	RM4 H HS
Requested Zoning Change	(H HS R6)
100-Year FEMA Floodplain	~~~~~



City of San Antonio  
Planning - Development Services Dept.  
10/15/2008  
D. E. Castillo

# CASE NO: Z2009007

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

**Council District:** 1

**Ferguson Map:** 616 E6

**Applicant Name:**

Roy R. Pachecano

**Owner Name:**

Portico Residential, LLC

**Zoning Request:** From "H HS RM-4" Historic Significant Residential Mixed King William Historic District to "H HS R-6" Historic Significant Residential Single-Family King William Historic District.

**Property Location:** Lots 17 and 18, Block 5, NCB 746

432 and 434 King William

On the east corner of the King William and East Johnson intersection

**Proposal:** To allow single-family residential construction over a lot line

**Neigh. Assoc.** King William Association

**Neigh. Plan** Downtown Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

### Staff Recommendation:

Consistent. The Downtown Neighborhood Plan calls for residential uses at this location.

Approval.

The subject property consists of two lots, located on the east corner of the King William and East Johnson. The existing structures are single-family homes, both of which were built prior to 1900. Separately, the structures measure approximately 4,495 and 3,500 square feet. The subject properties were originally zoned "E" Office District. In 1957, the property was rezoned to "D" Apartment District. In 1988, both properties were designated "HS" Historic Significant. In 1991, the property was again rezoned to "R-2" Two Family Residence District; which then converted to "RM-4" Residential Mixed District upon the adoption of the 2001 Unified Development Code. The majority of surrounding zoning is "RM-4", with a small number of properties zoned "MF-33" Multi-Family District and "IDZ" Infill Development Zone. The entire area is in the King William Historic District; while most properties also carry "HS" or "HE" designations. Surrounding land uses include single-family homes, duplexes, and small apartment buildings. The Edward Steves Homestead Museum is located directly to the west, on the opposite corner; and there is a bed and breakfast abutting the subject property to the southeast.

Staff finds the request to be appropriate as it would constitute a down-zoning of the subject property to a zoning district more in character with the neighborhood. Although single-family uses are currently permitted, the structures could also be divided into multiple residences under the existing zoning district. The applicant intends to join the two structures, creating one large single-family residence. Construction over lots lines is not permitted in any residential-mixed or multi-family zoning district, but is allowed in residential single-family districts. Should the zoning change be approved, the property owner would be required to obtain approval from the Historic and Design Review Commission prior to construction.

**CASE MANAGER :** Micah Diaz 207-5876

## Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009007

**Address:** 432 and 434 King William

**Existing Zoning:** RM-4 H HS

**Requested Zoning:** R-6 H HS

**Registered Neighborhood Association(s):** King William

**Neighborhood/Community/Perimeter Plan:** Downtown Neighborhood Plan

**Future Land Use for the site:** Residential

**Other Comments:** None

### Analysis:

The proposed change to the zoning base from RM-4 to R-6 is consistent with the Downtown Neighborhood Plan Land Use Plan. The future land use plan designated areas within the King William district for single family residential and duplex housing with continued historic preservation within the district. One of the long term goals for the Plan's South Neighborhood District which includes the King William neighborhood is to "maintain the residential and historic character of neighborhoods and conserve housing structures for residential uses."

☒ Request conforms to Land Use Plan

☐ Request does not conform to LandUse Plan

☐ Consistency not required because base zoning not changing

### Staff Recommendation:

☒ Approval

☐ Denial

☐ Alternate Recommendation

**Reviewer:** Rebecca Paskos

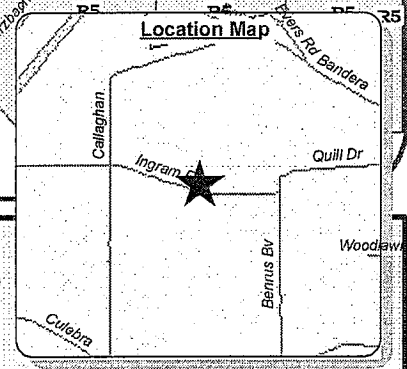
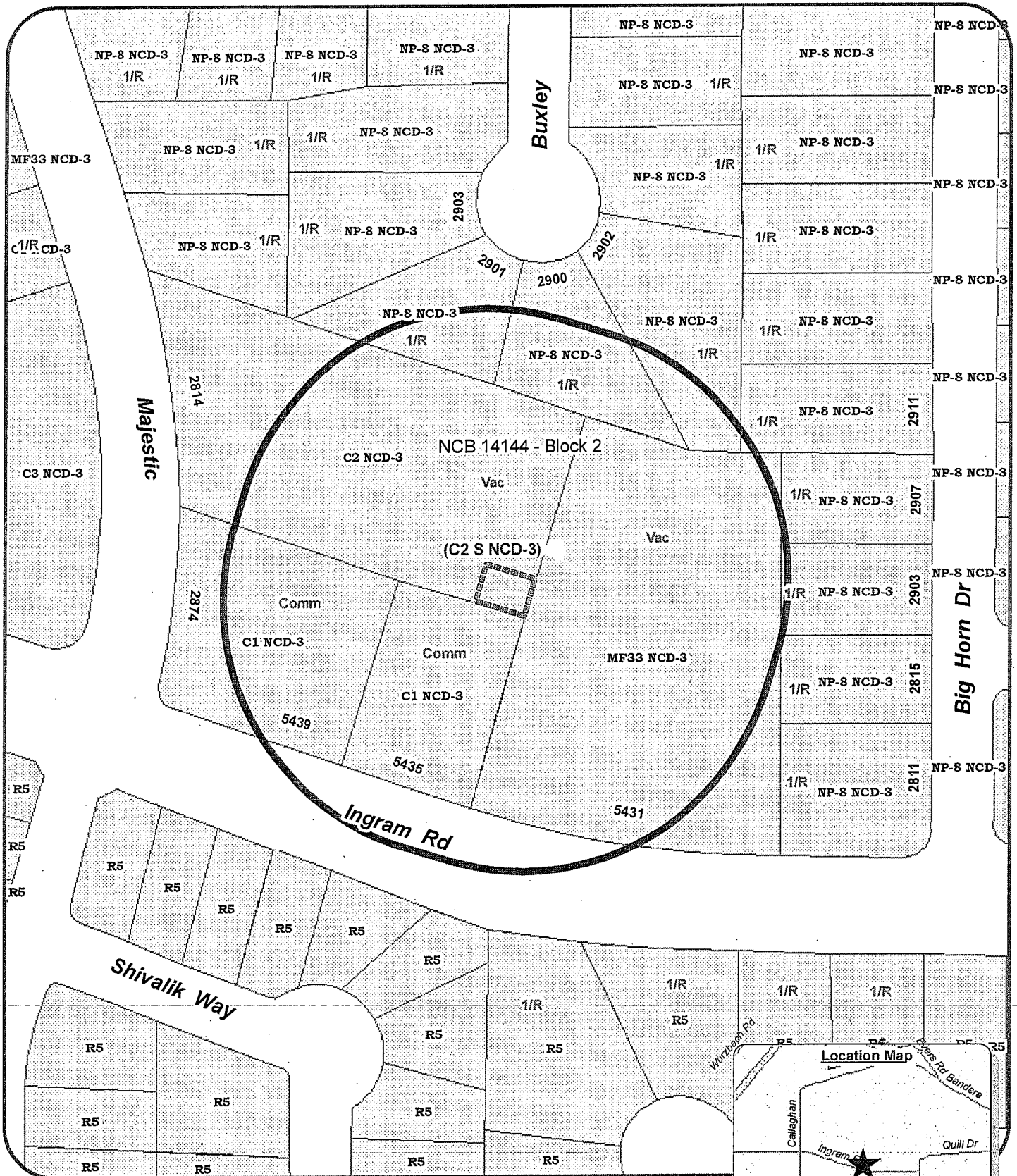
**Title:** Senior Planner

**Date:** 10/08/2008

**Manager Review:** Nina Nixon-Mendez

**Date:** 11/06/2008





## Zoning Case Notification Plan

### Case Z2009-009 S

Council District 7

Scale: 1" approx. = 100'

Subject Property Legal Description(s): 0.0275 acres out of Lot 28, NCB 14144, Blk 2

#### Legend

- Subject Property (0.0275 acres)
- 200' Notification Buffer
- Current Zoning C2 NCD-3
- Requested Zoning Change (C2 S NCD-3)
- 100-Year FEMA Floodplain



City of San Antonio  
Planning - Development Services Dept.  
10/4/2008  
D. E. Castillo

# CASE NO: Z2009009 S

## Final Staff Recommendation - Zoning Commission

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**Date:** November 18, 2008

**Council District:** 7

**Ferguson Map:** 580 D7

**Applicant Name:**

Vincent Gerard and Associates/John Roberson

**Owner Name:**

IVST, LP

**Zoning Request:** From "C-2 NCD-3" Commercial Ingram Hills Neighborhood Conservation District to "C-2 NCD-3 S" Commercial Ingram Hills Neighborhood Conservation District with a Specific Use Authorization for a Wireless Communication System.

**Property Location:** 0.0275 acre tract of land out of Lot 28, Block 2, NCB 14144

2814 Majestic Drive

Located east of Majestic Drive and north of Ingram Road

**Proposal:** To allow for a Wireless Communication System

**Neighborhood Association:** Ingram Hills Neighborhood Association

**Neighborhood Plan:** Woodlawn Hills/ Ingram Hills Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis (TIA) is not required.

**Staff Recommendation:**

A finding of consistency is not required because there is no change to the base zoning district. The Neighborhood and Urban Design Division recommends denial based on three factors; the desire to minimize negative aesthetic impact from utility placement, enforcement of City established preservation goals and the proposed cell tower's proximity to residential areas.

Denial

The project site is currently undeveloped and is located approximately 266 feet southeast of Majestic Drive and approximately 150 feet north of Ingram Road on the northwest side of San Antonio. The property was zoned "B-2" Business District in June of 1988. Upon adoption of the 2001 Unified Development Code, the existing "C-2" Commercial District converted from the previous "B-2" Business District. The Ingram Hills Neighborhood Conservation District overlay (NCD-3) was applied to the area in September of 2004. The applicant is not requesting any alteration to this overlay. The subject property is adjacent to "C-2 NCD-3" zoning to the north, "C-1 NCD-3" zoning to the south and "MF-33 NCD-3" to the east. There is an existing residential subdivision to the north, commercial uses to the south and undeveloped land to the east.

The applicant's proposal is to construct a wireless communications system on 0.0275 acres, or 1,200 square feet, near the southeast corner of the property. This system will consist of a monopole 120 feet in height and an equipment shelter. According to the applicant, this location is a preferred site to eliminate gaps in cellular phone service in the area to better serve its customers. Section 35-385(d) of the Unified Development Code requires support structures be located a minimum of 200 feet from all residential districts. The proposal does not meet the Subsection 2 requirements and the nearest residential land use is approximately 192 feet to the north. Staff believes that a wireless communication tower, as proposed at this location would not advance the goals of the Woodlawn Hills/ Ingram Hills Neighborhood Plan or the Ingram Hills Neighborhood Conservation District. Specifically, the neighborhood plan calls for improvement of the visual appearance of future commercial development along Ingram Road. Staff encourages the applicant to

# **CASE NO: Z2009009 S**

## **Final Staff Recommendation - Zoning Commission**

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consider co-location with other existing wireless systems in the vicinity.

The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. A required site plan submitted by the applicant is reviewed at the permit stage for compliance with all development standards applicable to the proposed use.

**CASE MANAGER :** Pedro Vega 207-7980

[illegible]

GRAPHIC SCALE: 1"=30'

A horizontal graphic scale bar with alternating black and white segments. It is marked with '0', '30'', '60'', and '90'' at regular intervals. The total length of the bar represents 90 feet.

SHEET NUMBER  
**C-2**

OVERALL SITEPLAN

SA01397A  
ROSS PROP  
2014 MAESTIC 4TELC  
SAN ANTONIO, TEXAS 78209  
CITY OF SAN ANTONIO  
SHEET TITLE

**ALLPRO**  
CONSULTING GROUP, INC.  
9221 Lyndon B Johnson Freeway  
Suite 204, Dallas, TX 75243  
Phone: 972-231-8893  
Fax: 972-364-8375

11/02/05/06	FINAL ADDED SURVEY
09/03/06	REMOVED PRELIM CD
08/07/06	PRELIM CD
07/17/06	LEASE DRAFT

COLLECT NO:	SA01397A
AWM BY:	CEC/JJ
CHECKED BY:	JMG

**T** "Mobile"

3801 SOUTH CAPITAL OF TEXAS HWY, SUITE 300  
AUSTIN, TEXAS 78704



## Neighborhood and Urban Design Division Zoning Case Review

**Zoning Case No.:** Z2009009

**Address:** 2814 Majestic Drive

**Existing Zoning:** C-2 NCD-3

**Requested Zoning:** C-2 SUP NCD-3

**Registered Neighborhood Association:** Ingram Hills Neighborhood Association

**Neighborhood/Community/Perimeter Plan:**

San Antonio Master Plan Policies

Woodlawn Hills/Ingram Hills Neighborhood Action Association Plan

Ingram Hills Neighborhood Conservation District (NCD-3)

**Future Land Use for the site:** None

**Analysis:**

The applicant is requesting a C-2 Specific Use Authorization designation to install a telecommunications tower. The proposed site is located at 2814 Majestic Drive near Ingram Road. It is bordered by a single family residential development (zoned NP-8) to the north.

The neighborhood preservation districts are designed to protect properties zoned "R-A", "R-1a", "R-1b", or "R-1c" prior to June 4, 2001 and existing platted subdivisions which are substantially developed with single-family detached dwelling units. It is the policy of the city that these districts will be applied only to properties zoned "R-A", "R-1a", "R-1b", or "R-1c" prior to June 4...in order to prevent such subdivisions from being further subdivided in a manner in order to avoid congestion in the streets, prevent safety hazards, protect the health and general welfare of subdivision residents, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of public facilities. The uses permitted within an "NP" district are the same as the uses permitted within an "R-6" district.

There are 2 existing cell towers within a one-mile radius and at least 15 other cell towers within 1 ½ miles of this location. There are numerous opportunities for co-location of cell towers. This precedent has been set by recent zoning cases (Z2008266 and Z2008214).

Staff recommends denial based on three factors, the desire to minimize negative aesthetic impact from utility placement, enforcement of City established preservation goals and the proposed cell tower's proximity to residential areas. Granting the request would be inconsistent with goals, objectives, and standards established in the San Antonio Master Plan Policies, the Woodlawn Hills Neighborhood Action Association Plan, and the Unified Development Code. Commercial Activity Goal 1 in the Woodlawn Hills Neighborhood Action Association Plan states: "To ensure future commercial development along Callaghan, Ingram, and Bandera improves the visual appearance and promotes a well balanced mix of businesses to serve area residents." (p7). The San Antonio Master Plan Policies maintains that, urban design goals should reflect "Preservation and enhancement of the City's important historic and cultural characteristics including architectural styles and historic districts, as well as existing residential and commercial districts, and neighborhood centers" (p42). As a final point, Section 35-385 of the UDC stipulates that "Antenna support structures shall be spaced two hundred (200) feet from all residential zoning districts." There are at least 3 residential properties within two hundred feet from the proposed cell tower site.

☐ Request conforms to Land Use Plan

☐ Request does not conform to Land Use Plan

☒ Consistency not required because base zoning not changing

**Other Comments:**

Staff suggests the telecommunications company conduct a study ensuring the proposed cell tower is necessary for adequate coverage and explore large cell tower options if more facilities are warranted to provide adequate telecommunications coverage. For example, a distributed antenna array includes a series of smaller 18-inch-high antennas placed on stoplights or other existing facilities over a wide area, along with a box at each structure's base for electronic equipment.

**Staff Recommendation:**

☐ Approval

☒ Denial

☐ Alternate Recommendation

**Reviewer:** Brad Smilgin

**Title:** Planner

**Date:** 11/04/2008

**Manager Review:** Nina Nixon-Mendez  
10/28/08

**Date:** 11/06/2008